

**MOORE COUNTY PLANNING BOARD
THURSDAY, APRIL 4, 2019 6:00 PM
MOORE COUNTY HISTORIC COURTHOUSE – 2nd Floor**

CALL TO ORDER – 6 PM

INVOCATION – (Member Volunteer)

PLEDGE OF ALLEGIENCE – (Member Volunteer)

MISSION STATEMENT – (Member Volunteer)

I. PUBLIC COMMENT PERIOD (*Procedures are attached*)

Please sign up on the Public Comment Sign In sheet near the door

II. APPROVAL OF CONSENT AGENDA

All items listed below are considered routine and will be enacted by one motion. No separate discussion will be held except by a member of the Planning Board:

- A. Approval of Meeting Agenda
- B. Approval of Minutes of March 7, 2019
- C. Consideration of Abstentions

III. PUBLIC HEARINGS

1. General Use Rezoning from Residential and Agricultural-40 (RA-40) to Highway Commercial (B-2) –Theresa Thompson

Tri City, Inc. c/o Neil Robinette is requesting a General Use Rezoning from Residential and Agricultural-40 (RA-40) to Highway Commercial (B-2) of the eastern portion, being approximately 35.73 acres, of an approximate 53.57 acre parcel, located at 4691 NC Hwy 211, adjacent to the intersection of Love Grove Church Road and NC Hwy 211.

2. Conditional Rezoning from Residential and Agricultural-40 (RA-40) & Highway Commercial (B-2) to Highway Commercial Conditional Zoning (B2-CZ) –Theresa Thompson

Justin Schaad is requesting a Conditional Rezoning from Residential and Agricultural-40 (RA-40) & Highway Commercial (B-2) to Highway Commercial Conditional Zoning (B2-CZ) for a shopping center, located on 3 properties: ParID 00022786 (app. 1.48 acres), ParID 00991845 (app. 4.6 acres), and ParID 00022787 (app. 4.01 acres) the total being approximately 10.09 acres, located at 132 Juniper Lake Road, adjacent to the intersection of Juniper Lake Road and US Hwy 15-501.

3. Unified Development Ordinance Text Amendment (Equestrian Cottage) –Theresa Thompson

4. Unified Development Ordinance Text Amendments –Theresa Thompson

IV. PLANNING DEPARTMENT REPORTS - Debra Ensminger

V. BOARD COMMENT PERIOD - Chairman Nobles

VII. UPCOMING EVENTS

- Tuesday, April 9, 2019 3:00 PM Subdivision Review Board Meeting to be held at the Public Works in Carthage
- Tuesday, April 16, 2019 2:00 PM Moore County Transportation Committee to be held at the Rick Rhyne Building
- Tuesday, April 16, 2019 6:00 PM Board of Commissioners Meeting to be held at the Historic Courthouse in Carthage
- **Thursday, May 4, 2019 6:00 PM Planning Board Meeting to be held at the Historic Courthouse in Carthage**

VIII ADJOURNMENT

*Special accommodations for individuals with disabilities or impairments will be made upon request to the extent that reasonable notice is **give** to the County.
Please see attached procedures for the Public Comment Period and public comment during Public Hearing*

PUBLIC COMMENT PROCEDURES MOORE COUNTY PLANNING BOARD

The Moore County Planning Board is committed to allowing members of the public an opportunity to offer comments and suggestions for the efficient and effective administration of government. In addition to public hearings, a special time is set aside for the purpose of receiving such comments and suggestions. All comments and suggestions addressed to the Board during the Public Comment Period shall be subject to the following procedures:

- 1. The Public Comment period will be held at the beginning of the Board meeting. The comment period will be limited to a maximum of thirty minutes*
- 2. Persons who wish to address the Board during the Public Comment Period will register on a sign-up sheet available on the table outside the entrance door to the Meeting Room indicating contact information and topic. Sign-up sheets will be available beginning 30 minutes before the start of the meeting. No one will be allowed to have his/her name placed on the list by telephone request to County Staff.*
- 3. Each person signed up to speak will have three (3) minutes to make his/her remarks. Each person signed up to speak will only be entitled to the time allotted to each speaker and one additional time period which may be yielded to him/her by another individual who has also signed up to speak on a particular topic.*
- 4. Speakers will be acknowledged by the Board Chairperson in the order in which their names appear on the sign up sheet. Speakers will address the Board from the lectern at the front of the room and begin their remarks by stating their name and address.*
- 5. Public comment is not intended to require the Board to answer any impromptu questions. Speakers will address all comments to the Board as a whole and not one individual member. Discussions between speakers and members of the audience will not be allowed.*
- 6. Speakers will be courteous in their language and presentation. Matters or comments which are harmful, discriminatory or embarrassing to any citizens, official or employee of Moore County shall not be allowed. Speaker must be respectful and courteous in their remarks and must refrain from personal attacks and the use of profanity.*
- 7. Only one speaker will be acknowledged at a time. If the time period runs out before all persons who have signed up get to speak, those names will be carried over to the next Public Comment Period.*
- 8. Any applause will be held until the end of the Public Comment Period.*
- 9. Speakers who have prepared written remarks or supporting documents are encouraged to leave a copy of such remarks and documents with the Chairperson.*
- 10. Information sheets outlining the process for the public's participation in Board meetings will also be available in the rear of the Meeting Room.*
- 11. Action on items brought up during the Public Comment Period will be at the discretion of the Board.*

Adopted on the 4th day of February, 2010 by a 8 to 1 vote of the Moore County Planning Board.

MOORE COUNTY PLANNING BOARD PUBLIC HEARINGS PROCEDURES

The Moore County Planning Board serves the public as well as the Board of Commissioners. During each public hearing a special time has been set aside for the purpose of receiving comments and suggestions. To insure that comments and suggestions are productive and not unnecessarily long, procedural rules for conducting public hearings are necessary. The following procedural rules will be utilized during public hearings of the Moore County Planning Board:

- 1. Anyone who would like to address the Board during a public hearing should register on the appropriate sign-up sheet indicating their name and address. Sign-up sheets will be available on the table outside the entrance door to the Meeting Room 30 minutes before the start of the meeting. Information sheets outlining the process for the public's participation in Board meetings and public hearings will also be available. No one will be allowed to have his/her name placed on the list by telephone request to County Staff.*
- 2. Each speaker will be called by the Chairman to the lectern, will state their name and address clearly into the record before providing their comments.*
- 3. Speakers will address all comments to the Board as a whole and not to any one individual member. Speakers will be respectful, courteous, refrain from personal attacks and the use of profanity.*
- 4. Any applause will be held until the end of the public hearing.*
- 5. Speakers who have prepared written remarks or supporting documents are encouraged to leave a copy of such remarks and documents with the Secretary.*
- 6. Action on items brought up during the public hearing will be at the discretion of the Board.*

Adopted on the 5th day of May, 2011 by a 9 to 0 vote of the Moore County Planning Board

MINUTES
MOORE COUNTY PLANNING BOARD
THURSDAY, March 7, 2019 6:00 PM
MOORE COUNTY HISTORIC COURTHOUSE – 2nd FLOOR

Board Members Present: Eddie Nobles (Chair), Joe Garrison (Vice Chair), Harry Huberth, Bobby Hyman, John Matthews, Jeffrey Gilbert, David Lambert

Board Members Absent: Matthew Bradley, John Cook

Staff Present: Debra Ensminger, Planning Director
Tron Ross, County Attorney
Theresa Thompson, Planning Supervisor
Stephanie Cormack, Administrative Officer

CALL TO ORDER

Chair Eddie Nobles called the meeting to order at 6:00 pm.

INVOCATION

Board Member David Lambert offered the invocation.

PLEDGE OF ALLEGIANCE

Board Member Bobby Hyman led in citing of the Pledge of Allegiance.

MISSION STATEMENT

Board Member John Matthews read the Moore County Mission Statement.

PUBLIC COMMENT PERIOD

There was no public comment.

APPROVAL OF THE CONSENT AGENDA

- A. Approval of Meeting Agenda
- B. Approval of Minutes of February 7, 2019
- C. Consideration of Abstentions

Board Member Harry Huberth made a motion to approve the consent agenda. The motion was seconded by Board Member David Lambert and the motion passed unanimously (7-0).

PUBLIC HEARING

Public Hearing #1 – Conditional Rezoning Request Rural Agricultural (RA) to Multi-Family Conditional Zoning (MF-CZ) -Theresa Thompson

Planning Supervisor Theresa Thompson presented a request by John O'Malley requesting conditional rezoning from Agricultural (RA) to Multi-Family Conditional Zoning (MF-CZ) for a 232 unit multi-family development and accessory Par3 golf course on 3 parcels (ParID 00054238, 00047968, 20110028) which totals to approximately 177.68 acres, located south of the Town of Pinebluff on US Hwy 1 and adjacent to Persimmon Dr., Waxmyrtle Ct., Ryder Cup Blvd., Masters Way, Ernie Dr. N., Black Cherry Way, Laurel Oak Ln., Felix Dr., Folley Dr., Simmons Ln., Clyburn Ln., Teresa Ln., and Gillespie St., owned by Steel Form Equipment Company, LLC per Deed Book 5071, pages 72-85 and Deed Book 5071, Page 86-89.

Mrs. Thompson went over the items within the packet pointing out to the board the golf course previously known as the Bluffs was subdivided prior to zoning. The golf course is currently not in use and has been purchased by the applicant to develop a portion of the golf course as a multi-family development. The applicant is proposing 232 units each being 2 bedroom; 1,600 square feet; units would range from 2 to 6 unit buildings. The applicant will be required to build the units based on the drawings as presented within the agenda packet. Each unit would be served by a private garbage pickup which includes dumpsters. As shown in the overall site plan within the packet the following buildings would remain: clubhouse, cart house and maintenance building, renovations and improvements to these buildings would be on an as needed basis. The applicant would construct easements to roads to North Carolina Department of Transportation (NCDOT) subdivision roads minimum construction standards, all roads and parking area will be constructed using asphalt. The applicant opted for this type of zoning which requires a site specific development plan which is located within the agenda packet and can only be constructed to what is included in those plans. Any future changes to the plans would require the applicant to go through the rezoning approval process. Adjacent properties include single family residential, condominium, a carpet fabric manufacturer and undeveloped property. The property is located adjacent to the Town of Pinebluff ETJ, approximately one (1) mile from the Town of Pinebluff city limits, approximately 3 miles from the Town of Aberdeen city limits, and approximately 4 miles from the Town of Southern Pines city limits. The property is located within a high quality water district and would require a storm water permit. The property is not located within ½ mile of a voluntary agriculture district however; a small portion on the northern tip is located within ½ mile of a voluntary agriculture district. The applicant will provide public water through the Town of Pinebluff and public sewer through the Town of Pinebluff with a use agreement in place with the Town of Southern Pines. The applicant will work with the US Fish and Wildlife as the property is located within a red-cockaded woodpecker area. The property is located within a designated wetland area and will be working on obtaining wetland delineation. The applicant has met with NCDOT and would be required to install turning lanes. Mrs. Thompson also went over how the property is consistent with the 2013 Moore County Land Use Plan as noted within the agenda

packet. Mrs. Thompson pointed out in addition to the goals outlined within the packet the request is also consistent with Action 2.3.2 Encourage the location of recreational facilities close to residential areas and transportation nodes to increase public awareness and accessibility to these facilities and Recommendation 5.1 Properly plan for and accommodate a variety of affordable housing types. In addition to the screening requirement outlined within the agenda packet Mrs. Thompson mentioned exterior property lines not abutting the golf course will include a type 3 screening which includes a 20 foot wide buffer with 15 trees and 15 shrubs per 100 linear feet, pPlants will be supplemented where deficiencies are shown on existing vegetative buffers. The applicant is also proposing to install a type 2 buffer which is an evergreen hedge planted no more than 4 feet apart with a minimum of 5 feet in height at the time of planting. Per the site plan any existing trees shall be preserved as much as possible in order to keep the natural buffer as much as possible.

Board Member Garrison inquired about the existing homes located on the golf course. Mr. Garrison asked how proposed setback requirements would affect them.

Mrs. Thompson explained to the board properties not abutting the golf course as shown on the site plan are located along the wider, thicker 50 foot buffer and closer to the golf course area shows a 20 foot buffer, the applicant feels the current buffer offsets the buffer as there is a golf course in between.

Board Member Lambert confirmed the applicant is not asking for less than 50 foot buffer from the residential structures but are asking for less than 50 feet from the property line.

Mrs. Thompson confirmed Board Member Lamberts comment.

Mrs. Thompson explained to the Board due to feedback received during a community meeting held on February 20th, 2019, the applicant made the following modifications to the site plan:

- 1) Proposed entrance to Erfie Dr. at Ashford Castle Dr. Extension was eliminated.
- 2) Exterior setbacks were changed to 50 feet to include repositioning building locations to meet the 50 foot setback.
- 3) Land shown as the proposed Blarney Way will be listed as open space natural area.
- 4) Existing grave site located will be preserved between Iris Green Way and N. Adare Manor Ct.

Phase 1 site plan was updated to reflect the modifications and was provided to the board for view; attached as “Exhibit A”.

Board Member Garrison asked for further clarification regarding the process as to when the wetland delineation should be obtained.

Mrs. Thompson explained all wetland delineations and Red-Cockaded woodpecker studies should be obtained prior to the Board of Commissioner meeting. The applicant has requested these studies however, were not completed in time for the Planning Board meeting. Mrs. Thompson explained once the wetland study is completed and if it should show if wetlands are noted compared to the site plan, then any buildings located in a wetland area would need to be removed and the site plan would need to be updated. The current site plan did take potential wetlands into consideration and accounted this area as open space, if for some reason the wetland delineation is not completed prior to the Board of Commissioner meeting staff could allow for minor plat modifications without going for board approval.

Board Member Lambert inquired what the normal process would be for public infrastructure in an area and how it is determined if the need should be expanded and the cost associated.

Mrs. Thompson explained the applicant met with the Town of Pinebluff and Town of Southern Pines to go over the logistics.

Board Member Lambert inquired how zoning, fire and rescue play into this scenario.

Mrs. Thompson explained developments are usually developed within a fire rescue area and was unsure if the applicant has had any discussion with the associated towns.

Board Member Huberth inquired why Phase 7 does not have a site plan attached in the packet.

Mrs. Thompson explained nothing would be built in Phase 7 as it would remain open area and the only buildings as presented on the site plan would be allowed and the applicant would not be able to deviate from the plans as submitted in the packet.

Board Member Huberth commented on the school capacity and if they would be able to handle an increase of students.

Mrs. Thompson explained that would be at the discretion of the board if they feel school capacity could be an issue.

With no further questions/comments from the board Chairman Nobles opened the Public Hearing and asked if the applicant had any comments.

John O'Malley introduced himself as the applicant and purchased the property formally known as the Bluffs. Mr. O'Malley informed the board he owns several properties, buildings and business in Moore County. Mr. O'Malley explained the property would be used to house families who make three times the monthly rent amount and an extensive background check is conducted on those families to include credit, criminal, sex offender etcetera and plans to build a quality building that will be efficient to the tenant. Mr.

O'Malley expressed to the board the lift station located on the property would provide sufficient sewer for his units and there is adequate water in the area to support the units.

Board Member Garrison asked Mr. O'Malley if he would be maintaining the roads in his development to include, entrances, existing roads and new roads.

Mr. O'Malley confirmed he would only be maintaining new roads they build.

Jeff Barczak with Barczak Engineering approached the podium to address the road concern. Mr. Barczak explained access is currently on Ryder Cup which is owned by Mr. O'Malley and Persimmon Dr. to Hwy 1 will be maintained by Mr. O'Malley. Mr. Barczak explained they are working with the Department of Transportation and would be required to improve the entrances off Hwy 1.

Mr. O'Malley confirmed any roads they use he would maintain however, there is an easement located by the hotel and Mr. O'Malley would expect the hotel to maintain that area.

Board Member Garrison asked Mr. Barczak for further information regarding the water pressure issues as mentioned in the report provided in the packet. Mr. Garrison expressed concern as there are current water pressure issues in that area.

Mr. Barczak explained the water main that serves the hotel was tested for pressure and did not have good results, there was one fire hydrant located at the end of Felix Dr. and Persimmon Dr. owned by the Town of Southern Pines which showed positive results and would provide plenty of flow for the development

Board Member Lambert revisited his question for Mr. Barczak regarding his inquiry about fire and rescue as noted above to Mr. O'Malley.

Mr. Barczak explained he was not able to answer his question regarding impact and would have to look further into his inquiry and noted with the improvement of roads it would directly assist fire and rescue access to homes more effectively.

Board Member Lambert inquired if there was any communication between Moore County School and what potential impact the development could have on the school system.

Mr. Barczak explained there had not been any communication with Moore County Schools and if you compare this type of development to Tyler's Ridge their data has shown not to have many school age children living in their buildings.

With no further questions from the board the following people spoke on behalf of the Public Hearing.

- Matt Marchetti - 157 Laurel Oak Ln. Pinebluff; HOA president for the Pines Subdivision spoke against the request
- Justine Rafique-Bhatti - 103 Laurel Oak Ln. Pinebluff; spoke against the request
- Laura Bischke - 114 Ryder Cup Blvd. Pinebluff; spoke against the request
- Richard Bischke - 114 Ryder Cup Blvd. Pinebluff; spoke against the request
- Howard Beal - 128 Ryder Cup Blvd. Pinebluff; spoke against the request
- Nancy Mellone - 200 Persimmon Dr. Pinebluff; spoke against the request
- Ann Mutter- 186 Laurel Oak Ln. Pinebluff; spoke against the request
- Philip Holmes - 133 Laurel Oak Ln. Pinebluff; spoke against the request
- Eric Torres - 148 Laurel Oak Ln. Pinebluff; spoke against the request
- Lynn Goldhammer - 11 Salem Ln. Pinehurst; spoke against the request
- Mike Froy - Laurel Oak Ln. Pinebluff; spoke against the request
- David Howard - 3081 US Hwy 1, Vass; Construction Manager of the project spoke in support for the request
- Lilly Mitchell - 186 Laurel Oak Ln. Pinebluff; spoke against the request
- Justin Schaad – Raleigh; Business Partner with John O’Malley spoke in support for the request
- John Bright – 639 Addor Rd. Pinebluff; spoke against the request
- Cindy Santiago – 151 S. Erfie Dr. Pinebluff; spoke against the request
- Kia Brooks – 111 Laurel Oaks Ln. Pinebluff; spoke against the request
- Walter Hildreth – 191 Erfie Dr. N. Pinebluff; spoke against the request
- Iris Rodriquez – 250 persimmon Dr. Pinebluff; spoke against the request

Mr. O’Malley approached the podium informing the board he has committed to maintain the golf course in areas where homes that back up too keeping the area mowed.

With no further discussion or Public Comment Chairman Nobles closed the public hearing.

Board Member Gilbert asked Mr. O’Malley for further clarification regarding his marketing and who he felt his target demographic would be for the development.

Mr. O’Malley explained his target demographic would be those who would make three times the monthly rent amount and anticipates each home would be approximately \$1,150 a month.

Board Member Huberth explained to Mr. O’Malley if approved he would be locked into a Par3 golf course and wanted to make sure he understood his obligations.

Mr. Barczak explained the timeline of the golf course would depend on funds that come in based on rental occupancy and could not comment as to which phase the course would be built.

Board Member Huberth explained if approved the project would be vested within five (5) years and would need to be built based on the conditions.

Mrs. Thompson explained to the board there would be no requirement for the golf course to be completed or tied to a phase due to the possibility of a future phase not coming to fruition. Mrs. Thompson also explained vesting would mean the development would need to start before the expiration term of the five (5) years, once started within the five (5) year timeframe the project could extend beyond five (5) years for completion. Mrs. Thompson informed the board a condition could be in place regarding the golf course as long as the developer agreed to the condition.

Mr. Barczak informed the board if a condition would be requested Mr. O'Malley has agreed to improve the golf course after completion of phase 3 and before phase 4 begins.

With no further comments Board Member Joe Garrison made a motion to deny the attached Land Use Plan Consistency Statement as specified in the Land Use Plan Consistency Statement, a declaration of approval is also deemed an amendment to the Land Use Plan. The motion was seconded by Board Member John Matthews; the motion passed unanimously 7-0 for denial.

Board Member Joe Garrison made a motion to recommend denial for a five (5) year vesting to the Moore County Board of Commissioners for the Conditional Rezoning request from Rural Agricultural (RA) to Multi-Family Conditional Zoning (MF-CZ), for a 232 unit multi-family development and accessory Par3 golf course, on 3 parcels (ParID 00054238, 00047968, 201100278) which totals to approximately 177.68 acres, located south of the Town of Pinebluff on US Hwy 1 and adjacent to Persimmon Dr., Waxmyrtle Ct., Ryder Cup Blvd., Masters Way, Erfie Dr. N., Black Cherry Way, Laurel Oak Ln., Felix Dr., Folley Dr., Simmons Ln., Clyburn Ln., Teresa Ln., and Gillespie St., owned by Steel Form Equipment Company, LLC. The motion was seconded by Board Member David Lambert; the motion passed unanimously 7-0 for denial.

Planning Director Debra Ensminger informed the board the item would go before the Board of Commissioners on April 2nd for the Call To with the Public Hearing will be held on April 16th.

Board Chair Nobles thanked Mr. O'Malley for what his is trying to do however does not feel the location was the best choice for this project.

PLANNING DEPARTMENT REPORTS

Ms. Ensminger reminded the board of the upcoming Planning Board Meeting held on April 4th.

BOARD COMMENT PERIOD

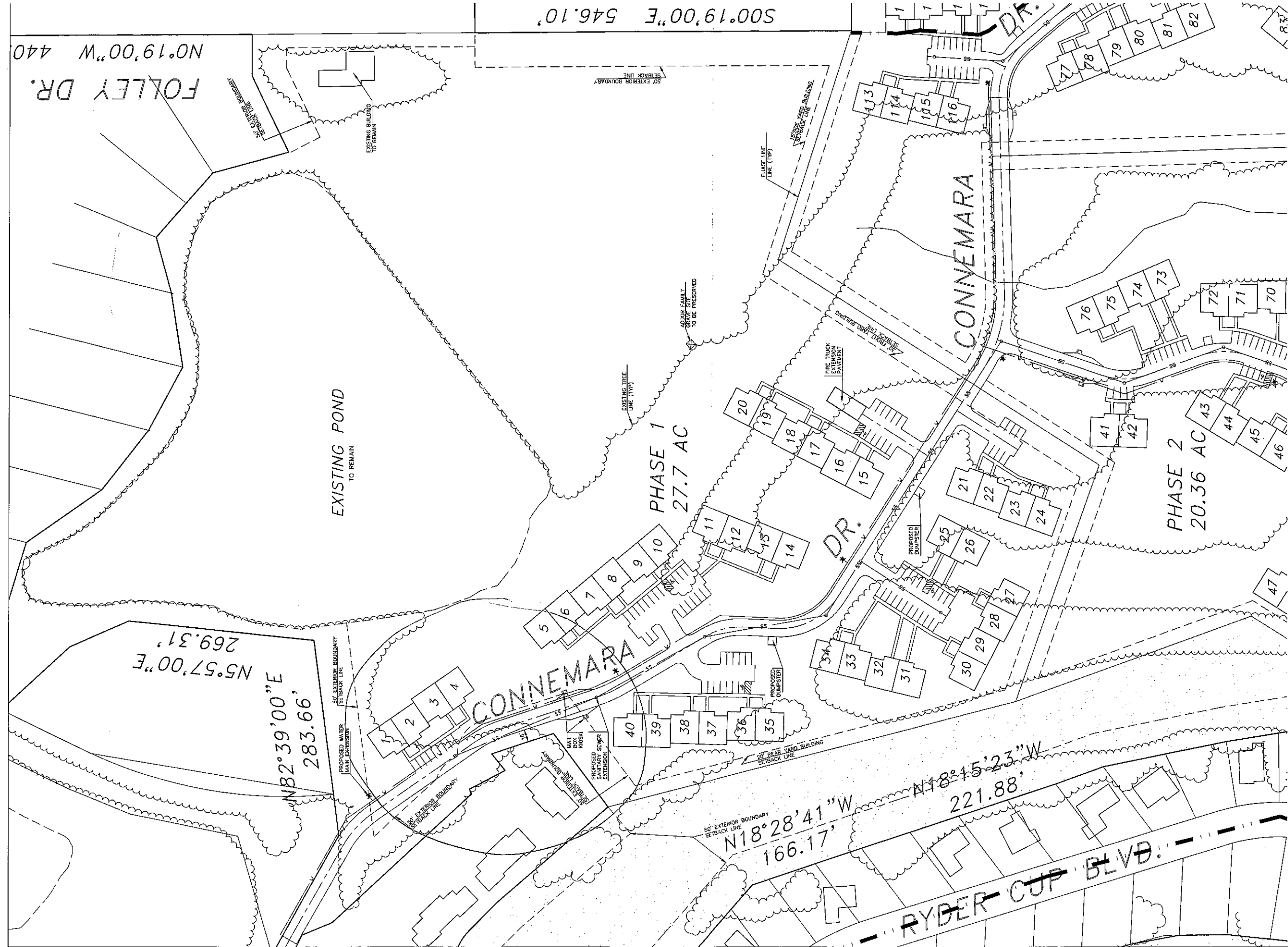
Minor discussion was held between the board members as they all felt this was a good vision however, not the best location for this type of project.

ADJOURNMENT

With no further comments Board Member Joe Garrison made a motion to adjourn the March 7, 2019 regular meeting. The motion was seconded by Board Member Bobby Hyman and the motion passed unanimously 7-0.

Respectfully submitted by,

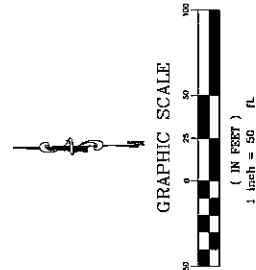
Stephanie Cormack



PROPOSED SETBACKS:
50' EXTERIOR BOUNDARY
SETBACK LINE
30' FRONT YARD
15' SIDE YARD
20' FOOT REAR YARD

NOTE:
EXISTING TREES AND TREE LINES SHALL BE PRESERVED AS MUCH AS POSSIBLE AND USED AS A NATURAL BUFFER AREAS SURROUNDING THE PROPERTY.
MINIMIZING THE EXTENT OF DISTURBING THESE AREAS WILL BE SHOWN ON AN APPROVED GRADING PLAN PREPARED BY A REGISTERED ENGINEER IN THE STATE OF NORTH CAROLINA.
WETLAND DELINEATION AND WOODPECKER STUDY MUST BE COMPLETED BEFORE ANY CONSTRUCTION ACTIVITIES BEGIN

PROPOSED NATURAL
BUFFER AND FUTURE
PAR 3 GOLF COURSE



DATE	BY
11/19/18	J.E.H.
02/07/19	J.E.H.
02/15/19	J.E.H.
02/27/19	J.E.H.
03/03/19	J.E.H.
03/09/19	J.E.H.

REVISIONS

BARCZAK ENGINEERING SERVICES PLLC.
258 Tucker Park Ln Raleigh, NC 27607
PH: 404-429-4885 EMAIL: barczak@barczakeng.com

TOWN OF PINE BLUFF, NC
ENGINEERING DEPARTMENT

PHASE 1
O'MALLEY VILLAGE

SCALE: HORIZ. 1" = 50'
DESIGNED BY: J. E. H. BARCZAK
DRAWN BY: J. E. H. BARCZAK
CHECKED BY: J. E. H. BARCZAK
DATE: 10/24/18

APPROVED BY: _____ Date: _____

City Engineer

PAGE 1 OF 6

"EXHIBIT A"

MEMORANDUM TO THE PLANNING BOARD

FROM: Debra Ensminger
Planning & Transportation Director

DATE: March 5, 2019

SUBJECT: General Use Rezoning Request: Residential and Agricultural-40 (RA-40) to Highway Commercial (B-2)

PRESENTER: Theresa Thompson

REQUEST

Tri City, Inc. c/o Neil Robinette is requesting a General Use Rezoning from Residential and Agricultural-40 (RA-40) to Highway Commercial (B-2) of the eastern portion, being approximately 35.73 acres, of an approximate 53.57 acre parcel, located at 4691 NC Hwy 211, adjacent to the intersection of Love Grove Church Road and NC Hwy 211, owned by Bradford Pusser, Carol Overton and Other, per Deed Book 2018 E Page 578.

This case was properly advertised, public hearing sign posted on the property, and all adjacent property owners were notified.

BACKGROUND

The property is currently undeveloped with one unoccupied dwelling located on the property.

ZONING DISTRICT COMPATIBILITY

The requested rezoning to Highway Commercial (B-2) is consistent with the mixture of land uses in the area, including a school, a train stop, trash collection site (West End Collection), single family residential, and undeveloped property. The surrounding area is zoned a mixture of Residential and Agricultural-40 (RA-40), Residential and Agricultural-20 (RA-20), Residential and Agricultural-5 (RA-5), Highway Commercial (B-2), and Gated Community Seven Lakes (GC-SL).

CONSISTENCY WITH THE 2013 MOORE COUNTY LAND USE PLAN

The site has a Medium Density Residential Land Use Classification. The requested zoning to Highway Commercial (B-2) is not compatible with the Medium Density Residential Land Use Classification.

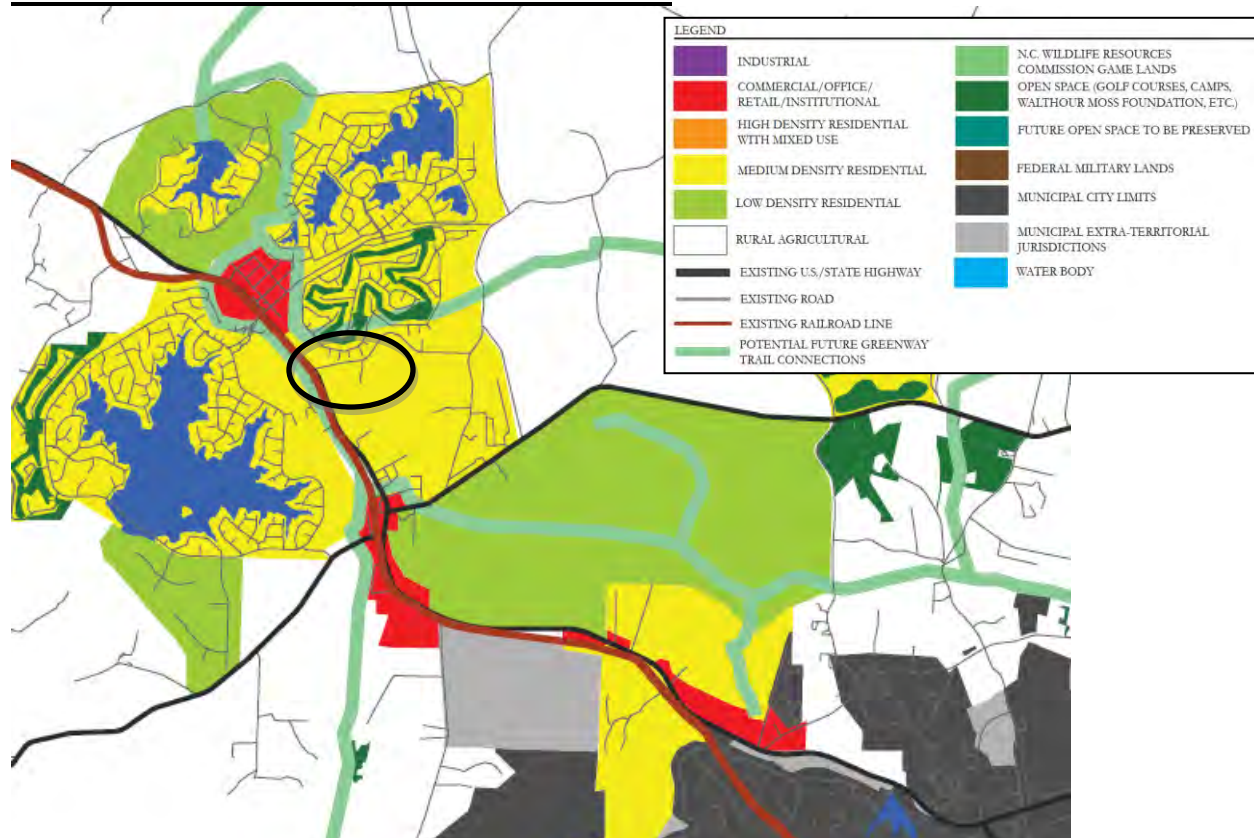
The Medium Density Residential Land Use Classification is a density of 2 (two) to 4 (four) dwellings per acre, single family detached or attached. Housing may include a mixture of dwelling types, including single-family detached, duplex, patio home, semi-detached/attached dwelling, multi-family, or townhouse. This may also include certain non-residential neighborhood supportive uses such as schools, daycares, churches and others. Density would require engineered sewerage disposal systems. Public infrastructure and facilities such as roads,

water, sewer, schools, fire/rescue, open space, and must be adequate to accommodate the development. The public service providers in the proximity of these areas shown on the Future Land Use Map shall consider extending, upgrading and/or preserving infrastructure in these locations.

The Commercial/Office/Retail/Institutional Land Use Classification's primary use is intended for shopping/retail uses, dining, entertainment, services, general office space, medical offices, banks, schools, daycares, places of worship, libraries, etc. The Moore County Unified Development Ordinance states the Highway Commercial (B-2) district provides for the development of commercial and service centers that serve community, countywide, or regional commercial needs, are accessible by residents from surrounding neighborhoods, and are of such nature so as to minimize conflicts with surrounding residential areas.

Although this site is located within the Medium Density Residential Land Use Classification, the site is located adjacent to a major highway (NC Hwy 211), other non-residential uses, and the site is located near Seven Lakes providing practicality, easy access, and reduced travel times to the nearby community. The site is located close to the Commercial/Office/Retail/Institutional Land Use Classification, as indicated by the red color on the map below. The rezoning request is also consistent with several goals as included in the attached Land Use Plan Consistency Statement, including Goal 3.1: Maximize accessibility among living, working, and shopping areas, and Recommendation 1.7: Support and promote local businesses. Therefore, if approved, staff recommends updating the Land Use Map to reclassify this site to the Commercial/Office/Retail/Institutional Land Use Classification.

MOORE COUNTY FUTURE LAND USE MAP



RECOMMENDATION

Staff recommends the Moore County Planning Board make two separate motions:

Motion #1: Make a motion to adopt or deny the attached Moore County Planning Board Land Use Plan Consistency Statement and authorize its Chairman to execute the document as required by North Carolina General Statute 153A-341. As specified in the Land Use Plan Consistency Statement, a declaration of approval is also deemed an amendment to the Land Use Plan.

Motion #2: Make a motion to recommend approval or denial to the Moore County Board of Commissioners of the General Use Rezoning from Residential and Agricultural-40 (RA-40) to Highway Commercial (B-2) of the eastern portion, being approximately 35.73 acres, of an approximate 53.57 acre parcel, located at 4691 NC Hwy 211, adjacent to the intersection of Love Grove Church Road and NC Hwy 211.

ATTACHMENTS

- Pictures of Property and Adjacent Properties
- Vicinity Map
- Aerial Map
- Land Use Map
- Rezoning Map
- Rezoning Application
- Planning Board Consistency Statement – Approval
- Planning Board Consistency Statement – Denial
- UDO – Chapter 6. Table of Uses
- 2018 E Page 578
- Letters of Testamentary

Views of subject property from NC Hwy 211





Love Grove Church Road – General Use Rezoning – Staff Report

View of Christopher Lane from NC Hwy 211



Adjacent property – 4483 NC Hwy 211 – West End Elementary School





Southbound view of NC Hwy 211 approaching the intersection with Love Grove Church Road



Love Grove Church Road – General Use Rezoning – Staff Report

Aerial View Adjacent Property – 4474 NC Hwy 211



Views of neighborhood across Love Grove Church Rd



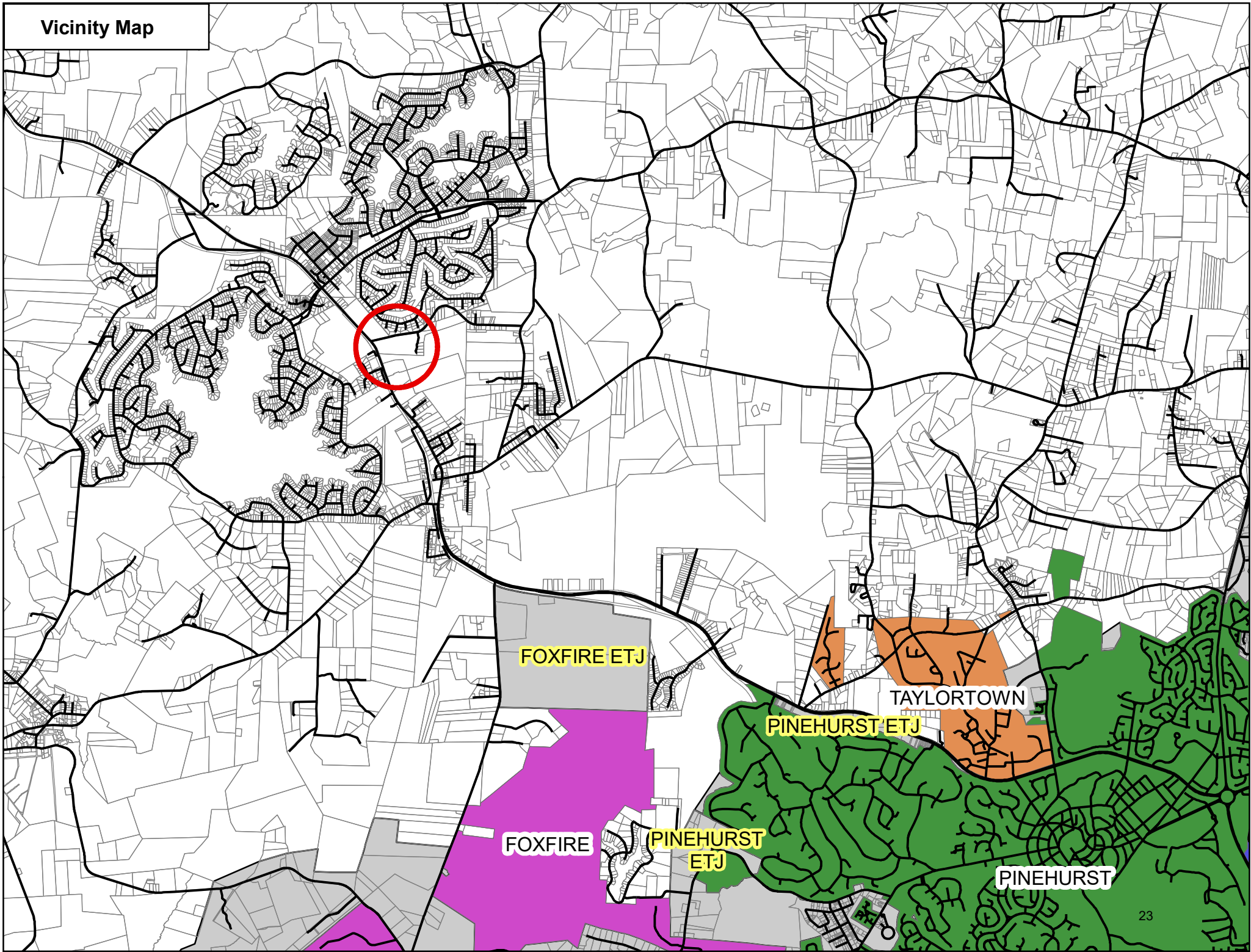


Adjacent Property – 561 Love Grove Church Rd – Seven Lakes / West End Collection Site



Love Grove Church Road – General Use Rezoning – Staff Report

Vicinity Map



FOXFIRE ETJ

TAYLORTOWN

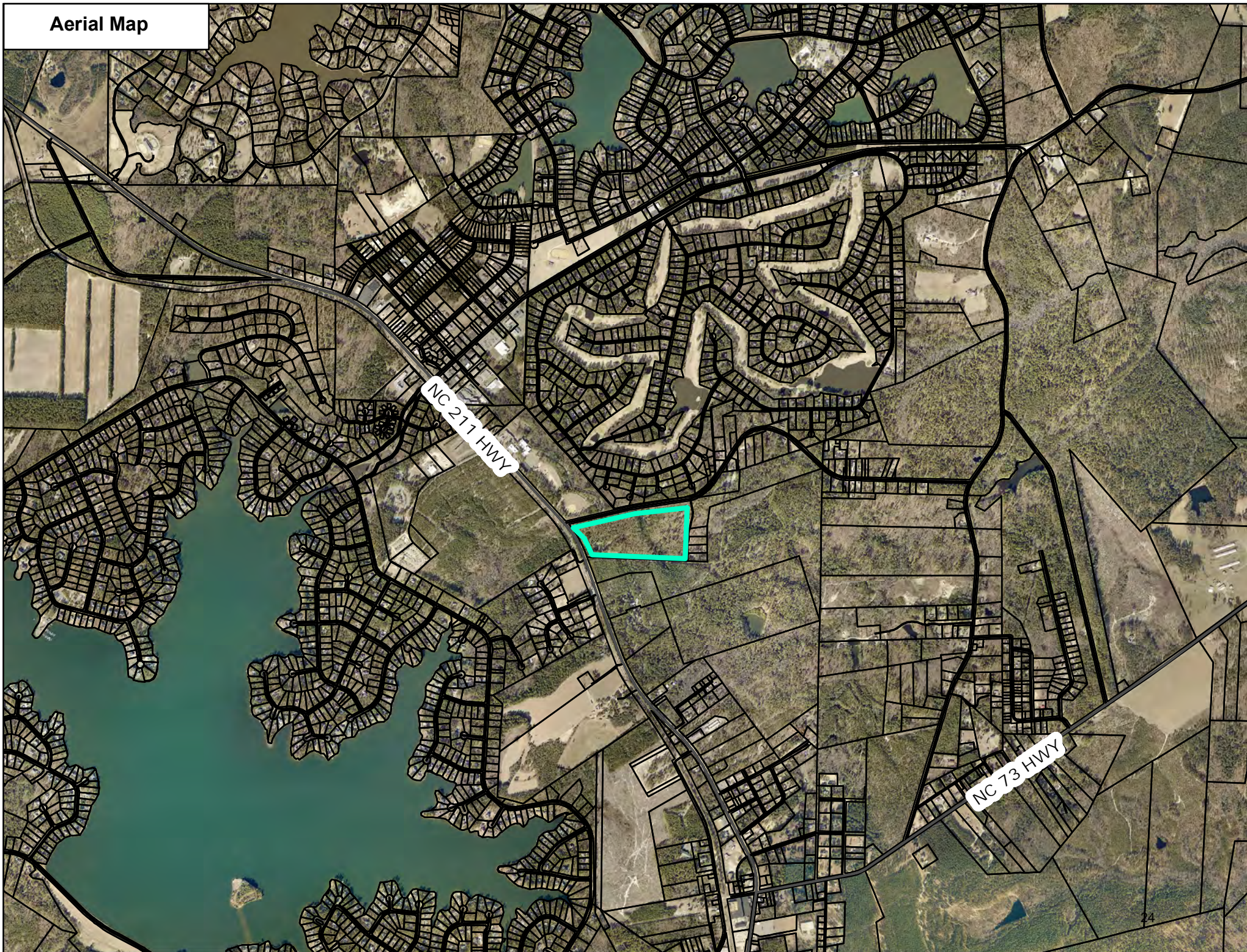
PINEHURST ETJ

FOXFIRE

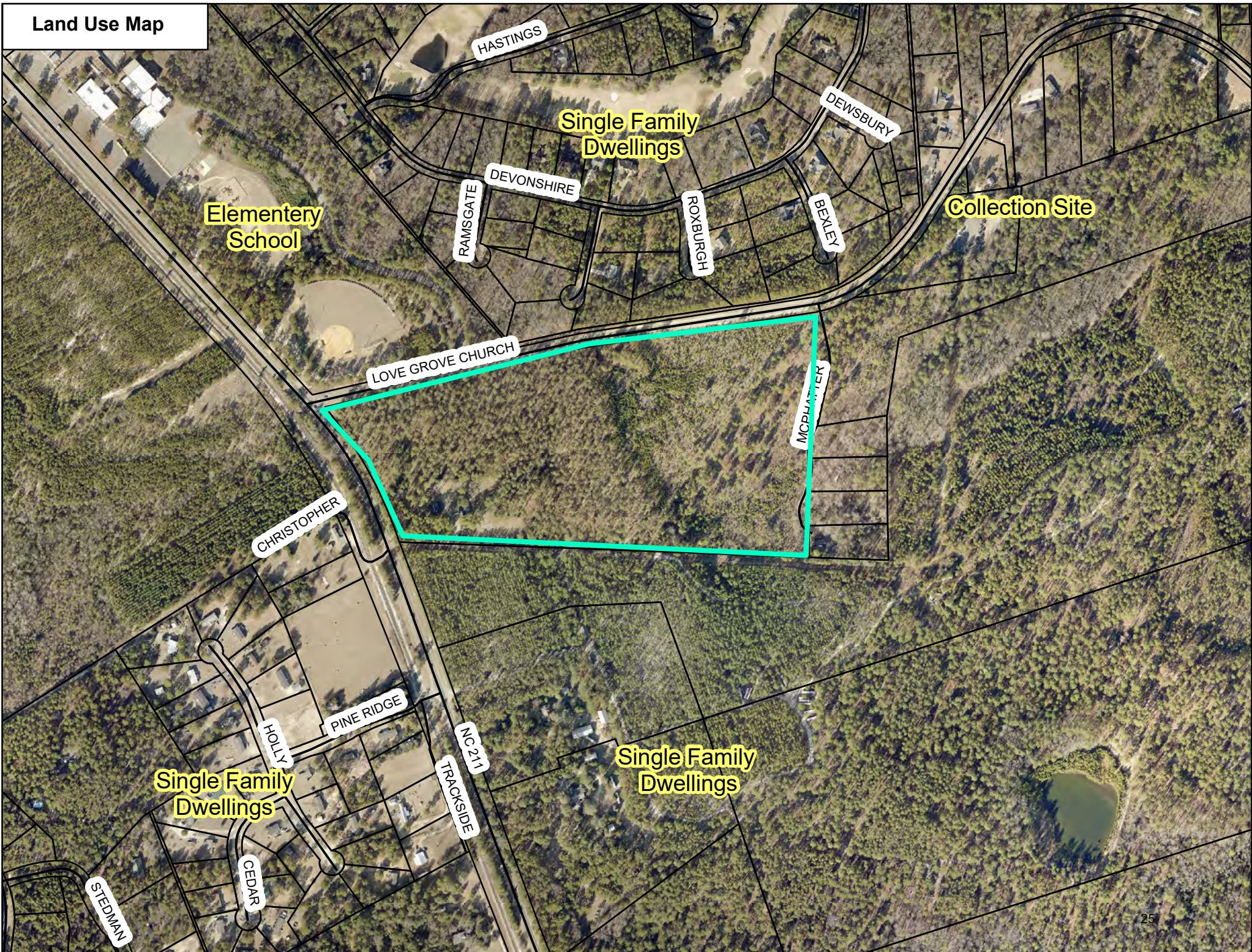
PINEHURST
ETJ

PINEHURST

Aerial Map



Land Use Map



[illegible]

Shaded area requested
to be rezoned to B-1-CZ
RA-5

App# 24949

Parcel - 00025548

County of Moore Planning and Transportation



Inspections/Permitting: (910) 947-2221
Planning: (910) 947-5010
Transportation: (910) 947-3389

GENERAL USE REZONING APPLICATION

Application Date: March 5, 2019			
Location/Address of Property: Love Grove Church Road & NC Highway 211			
Applicant: Tri City, Inc. c/o Neil Robinette			Phone: 910-997-2544
Applicant Address: 1227 Rockingham Road	City: Rockingham	St: NC	Zip: 28379
Owner: Bradford L Pusser, Carol R Overton, & Other			Phone:
Owner Address: 380 Sullivan Ct.	City: Whispering Pines	St: NC	Zip: 28327
Current Zoning District: RA-40	Proposed Zoning District: B-2		
Comments: Rezoning of a portion of the property along NC Highway 211, currently zoned RA-40 to B-2 (see attached map)			
I (We), the undersigned, certify that all statements furnished in this application are true to the best of my (our) knowledge, and do hereby agree to follow all reasonable requests for information as designated by the County of Moore Zoning Administrator.			
DocuSigned by: Bradford L. Pusser, Executor		3/4/2019	
Applicant/Owner Signature		Date	
		3/4/2019	
Applicant/Owner Signature		Date	
Office Use Only:			
PAR ID: 00025548			
		3/5/2019	
Received By		Date	

TRI-CITY, INC.

PROPOSED B-2 ZONING AREA (35.735 ACRES)

Meridian - N.C. Grid North (NAD 83-2011)

Horizontal field measurements (not adjusted by a grid factor)

Boundary Description:

BEGINNING at an iron pin within the eastern right-of-way of N.C. Highway 211, said iron having the following NCGS Coordinates (NAD 83-2011);

(X) 548,294.99'

(Y) 1,827,834.05'

Thence from said BEGINNING point N 88°15'20" W a distance of 96.07 feet to a concrete monument located 31 feet east of the centerline of an existing Norfolk Southern Railroad track; thence parallel to the railroad track the following four (4) courses and distances:

(1) N 23°56'05" W a distance of 152.84 feet to a point;

(2) thence N 27°34'31" W a distance of 153.50 feet to a point;

(3) thence N 30°32'56" W a distance of 153.22 feet to a point;

(4) thence N 33°36'01" W a distance of 152.31 feet to an iron pin located 31 feet from the centerline of said Norfolk Southern Railroad track; thence and with the centerline of Love Grove Church Road (60' public right-of-way) the following eight (8) courses and distances:

(1) N 76°29'39" E a distance of 995.05 feet to a point;

(2) thence N 77°20'02" E a distance of 109.73 feet to a point;

(3) thence N 78°42'32" E a distance of 93.68 feet to a point;

(4) thence N 79°52'29" E a distance of 96.68 feet to a point;

(5) thence N 81°26'27" E a distance of 605.85 feet to a point;

(6) thence N 81°03'08" E a distance of 93.36 feet to a point;

(7) thence N 80°24'02" E a distance of 91.86 feet to a point;

(8) thence N 78°06'25" E a distance of 37.57 feet to a point; thence along a new division line S 00°12'42" E a distance of 494.56 feet to an iron pin, the northwest corner of the Leticia Estrada property (D.B. 2952, Pg. 538); thence with and beyond the common boundary with the Estrada property, with the Annie Siler property (D.B. 234, Pg. 433), and with the Prayer Praise Church property (D.B. 1055, Pg. 57) S 00°12'42" E a distance of 514.05 feet to an iron pin, the southwest corner of the Prayer Praise Church property and a common corner with the Douglas H. Monroe property (D.B. 1015, Pg. 34); thence and with the Douglas H. Monroe boundary N 88°15'20" W a distance of 1693.55 feet to an iron pin, which is the point of beginning, having an area of 35.735 acres.

PROPOSED B-2 ZONING net area= 35.735 ACRES.

Moore County Planning Board
Land Use Plan Consistency Statement
General Use Rezoning Request
Residential and Agricultural-40 (RA-40) to Highway Commercial (B-2)

The Moore County Planning Board finds that:

1. The rezoning request is consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around the municipalities)

- Recommendation 1.7: Support and promote local businesses
- Action 1.8.8: Support and promote infill development that will optimize the use of existing infrastructure.

Goal 3: Optimize the Uses of Land Within the County of Moore

- Goal 3.1: Maximize accessibility among living, working, and shopping areas
- Recommendation 3.4: Encourage development in areas where the necessary infrastructure (roads, water, sewer, and schools) are available, planned or most cost-efficiently be provided and extended to serve development.

2. Approval of the rezoning request is also deemed an amendment to the Land Use Plan Future Land Use Map by reclassifying the site to the Commercial/Office/Retail/Institutional Land Use Classification.

3. Contributing factors in the rezoning approval is in response to managing the demand of residential growth, largely resulting from the influx of families spurred by Fort Bragg's growth from the Base Realignment and Closure.

4. The rezoning request is reasonable and in the public interest considering the property is located adjacent to the Seven Lakes community and has availability of public water.

Therefore, the Moore County Planning Board recommends **APPROVAL** of the General Use Rezoning from Residential and Agricultural-40 (RA-40) to Highway Commercial (B-2) of the eastern portion, being approximately 35.73 acres, of an

approximate 53.57 acre parcel, located at 4691 NC Hwy 211, adjacent to the intersection of Love Grove Church Road and NC Hwy 211.

Eddie Nobles, Chair
Moore County Planning Board

Date

Moore County Planning Board
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General Use Rezoning Request
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2. Approval of the rezoning request is also deemed an amendment to the Land Use Plan Future Land Use Map by reclassifying the site to the Commercial/Office/Retail/Institutional Land Use Classification.

3. Contributing factors in the rezoning approval is in response to managing the demand of residential growth, largely resulting from the influx of families spurred by Fort Bragg's growth from the Base Realignment and Closure.

4. The proposed rezoning is not reasonable and not in the public interest because the proposed rezoning will have an unreasonable impact on the surrounding community.

Therefore, the Moore County Planning Board recommends **DENIAL** of the General Use Rezoning from Residential and Agricultural-40 (RA-40) to Highway Commercial (B-2) of the eastern portion, being approximately 35.73 acres, of an

approximate 53.57 acre parcel, located at 4691 NC Hwy 211, adjacent to the intersection of Love Grove Church Road and NC Hwy 211.

Eddie Nobles, Chair
Moore County Planning Board

Date

CHAPTER 6

TABLE OF USES

6.1 Use Table

- A. Permitted Uses. P = Permitted uses are a use-by-right approved by the Administrator.
- B. Conditional Uses. C = Conditional Use Permit approval required. (Refer to Chapter 12.)
- C. Conditional Zoning. Z = Condition Rezoning within a parallel conditional zoning district required. (Refer to Chapter 11.)
- D. Building Code Classification.

The “Bldg. Code Group” column is intended for reference purposes only and is subject to change without notice. Classifications should be verified by the Building Inspector and should follow the regulations of the applicable “Use & Occupancy Classification” per the 2012 NC Building Code. Change of uses will require sealed plans to be approved by the Building Inspector.

A = Assembly	M = Mercantile
B = Business	R = Residential
E = Education	S = Storage
F = Factory Industrial	U = Utility & Miscellaneous
H = Hazardous	Mix = Mixed Uses (Separation standards may apply)
I = Institutional	

- E. Prohibited Uses. Blank = Districts in which particular uses are prohibited, unless the Administrator determines that the use is similar to an allowed individual use by applying the following criteria:
 1. The actual or projected characteristics of the activity.
 2. The relative amount of site area or floor space and equipment utilized.
 3. Relative amounts of sales from the activity and costumer type for the activity.
 4. The relative number of employees and hours of operation.
 5. Building and site arrangement and likely impact on surrounding properties.
 6. Types of vehicles used, parking requirements, and vehicle trips generated.

When uncertainty exists, the Administrator, after consultation with the County Attorney, shall be authorized to make the interpretation.

ACCESSORY USES & ACCESSORY BUILDINGS	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
Accessory Uses & Buildings	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.1	R, S, U

AGRICULTURAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
Agricultural Uses and Buildings (Not a Bona Fide Farm)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.2	U
Bona Fide Farm	"Bona Fide Farm" exemption status is obtained through the Moore County Planning Department.														8.3	S, U

RESIDENTIAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
SINGLE FAMILY HOUSEHOLD																
Accessory Dwelling Located within Stick Built Dwelling	P	P	P	P			P	P	P						8.4	R
Accessory Dwelling Located within Non-Residential Building											P	P	P		8.5	Mix
Accessory Manufactured Home	P	P	P	P			P	P	P						8.6	R
Accessory Stick Built Dwellings	P	P	P	P			P	P	P						8.7	R
Dwellings, Single Family	P	P	P	P	P	P	P	P	P						8.8	R-3
Dwellings, Duplexes	P	P				P	P								8.9	R-3
Family Care Home (6 or less)	P	P	P	P	P	P	P	P	P						8.10	I, R
Home Occupation, Level 1	P	P	P	P	P	P	P	P	P						8.11	R
Home Occupation, Level 2			C	C			C		C						8.12	R
Manufactured Home	P	P	P	P			P	P	P						8.13	R-3
Manufactured Home Park									C						8.14	Mix
Personal Workshop / Storage Building	P	P	P	P			P	P	P						8.15	R, S
Planned Unit Development – Mixed Use	Conditional Rezoning to PUD-CZ is required.														8.16	Mix
Major Subdivision	C	C						C							18.6-18.11	Mix
MULTIFAMILY RESIDENTIAL																
Group Care Facility									Z			C	P		8.17	I, R
Multifamily Dwellings (3 or more units per lot)	Conditional Rezoning to MF-CZ is required.														8.18	R-2
Nursing Home	C	C	C	C					C			P	P		8.19	B, I

COMMERCIAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCSL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
ANIMAL SERVICES																
Animal Shelter									C					P	8.20	B
Animal Training Facility, Military									C					P	8.21	B
Kennels, Overnight									C			C	C	P	8.22	B
Pet Day Care, Grooming, Obedience Training									C		P	P	P		8.23	B
Veterinary Clinic							P		C		P	P	P		8.24	B
OFFICES & GENERAL SERVICES																
Automatic Teller Machine (ATM)											P	P	P	P	8.25	U
Beauty / Barber Shop / Nail Salon						P					P	P	P		8.26	B
Dry Cleaning and Laundromat						P					P	P	P	P	8.27	B
Hotel and Motel													P		8.28	R-1
Office											P	P	P	P	8.29	B
Small Appliance Repair Shop											P	P	P	P	8.30	B
Tourist Home	C	C	C	C				C	C						8.31	R-3
Trade Contractor Office and Workshop											P	Z	P	P	8.32	B, S
COMMERCIAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCSL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
RETAIL SERVICES																
Auction House												P	P	P	8.33	A-3, B
Convenience Store						P			C		P	P	P	P	8.34	M
Feed and Seed Sales							C		C			P	P	P	8.35	B, M
Florist									P		P	P	P	P	8.36	B
Flea Market									C			Z	P		8.37	B, M
Garden Center											P	P	P		8.38	M, U
Manufactured or Modular Home Sales													P	P	8.39	B
Restaurant						P					P	P	P	P	8.40	A-2
Retail											P	P	P		8.41	M
Shopping Centers													Z	C	8.42	M
Wholesales											C		P	P	8.43	M

COMMERCIAL USES (CONTINUED)	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
VEHICLE SERVICES																
Boat & RV Storage					P						P		Z		8.44	S-1
Car Wash or Auto Detailing											P	P	P	P	8.45	B
Commercial Truck Wash												C	P	P	8.46	B
Parking Lot as principal use of lot											P	P	P	P	8.47	S-2
Taxi Service												Z	P	P	8.48	B, A-3
Vehicle, Auto Parts, Tires, Farm Equipment, Boat, RV - Sales, Rental, or Service											P	P	P	P	8.49	B, S-1
Vehicle Service Stations (Gas Stations)											Z	P	P	P	8.50	M
Vehicle Wrecker Service												Z	Z	P	8.51	S-1
ADULT USES																
Adult Gaming Establishments														C	8.52	B
Bars / Tavern											C		P		8.53	A-2
Brewery / Winery									C		P		P	P	8.54	A-2, F
Dance Club, Night Club, Billiard											Z		P		8.55	A-2, A-3
Distillery														P	8.56	F-1
Massage & Bodywork Therapy Practice, Unlicensed													P		8.57	B
Pawn Shop											Z		P	P	8.58	B
Sexually Oriented Business														Z	8.59	A-2, M
Tattoo Parlor, Body Piercing													P		8.60	B

EDUCATIONAL & INSTITUTIONAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
Cemetery or Mausoleum, Commercial			C	C			C		C			P			8.61	n/a
Cemetery, Family	P	P	P	P	P	P	P	P	P						8.62	n/a
Child Care Facility	C	C	C	P		C	C	C	C		C	P	P		8.63	E, I
Child Care Home Facility	C	P	P	P			C	C	P				I		8.64	E, R
Colleges, Business & Trade Schools										C			P	P	8.65	B
Funeral Home, accessory crematorium											P	P	P	P	8.66	A-3, B
Government Facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.67	B
Hospital	P	P	P	P	C	C	P	P	P	P		P	P	P	8.68	I
Museums and Art Galleries									C		P	P	P		8.69	A-3
Religious Institutions	P	P	P	P	P		P	P	P	P	P	P	P		8.70	A-3, E
Security Training Facility									C						8.71	B
Schools, Elementary, Middle, High												P	P		8.72	E

RECREATIONAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
Accessory, Swimming Pool	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.73	A, R
Airport, Public or Private									C				I	Z	8.74	A-3, B
Airstrip, Small Private									C			P			8.75	B
Assembly Hall						Z			C		Z		Z	P	8.76	A-4, A-5
Camp or Care Centers									P				I		8.77	A-3, R-1
Campground, Public and Private									P				I		8.78	A-3, R-1
Camp, Recreation Day									P						8.79	A-3
Civic / Social Club, Lodge, & Organization			P	P	C	C			C		P	P	P		8.80	A-2, A-3
Golf Driving Range					C	C				P			P		8.81	A-3
Golf Course, including Par 3					C	C				P			P		8.82	U
Marina (fuel supplies)					P	P									8.83	M
Neighborhood Park	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.84	U
Recreation, Indoor											C	C	P		8.85	A-5
Recreation, Low Impact Outdoor		P P	P	P	P	P	P	P	P		C	P	P		8.86	A-5
Recreation, High Impact Outdoor									C		C		P		8.87	
Shooting Range, Indoor									C				P		8.88	A-5
Shooting Range, Outdoor									C				P		8.89	A-5
Zoo, Petting Zoo									C				P		8.90	A-5, U

INDUSTRIAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
PRODUCTION																
Manufacturing, Light (no odors, no smoke)														P	8.91	F
Manufacturing, General														Z	8.92	F-1, F-2
UTILITIES / SERVICES																
Amateur Radio and Receive-only Antennas	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.93	U
Contractors Storage Yard and Office									C				P	P	8.94	S-1, U
Crematorium Facility													Z	P	8.95	B
Public & Private Utility Facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.96	U
Solar Collector Facility														C	8.97	U
Solar Collectors, On-Site Use	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.98	U
Wireless Communication Facility									Z				Z	Z	8.99	U
Collocation on Existing WCF	P	P	P	P			P	P	P	P	P	P	P	P	8.100	U

INDUSTRIAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
WAREHOUSING																
Mini-Warehouse (Self-Service)						P					Z	Z	P	P	8.101	S
Warehousing and/or Distribution Center									Z				C	P	8.102	S-1, S-2
WASTE RELATED SERVICES																
Debris Management Facility									Z			Z		P	8.103	U
Hazardous Waste /Toxic Chemicals Disposal or Processing														C	8.104	U
Landfill														C	8.105	U
Mining / Quarry Operation									C					C	8.106	U
Salvage Yard														C	8.107	U

TEMPORARY USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
Construction Office, Temporary	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.108	S-1
Drop-In Child Care Facility											P	P	P		8.109	
Itinerant Merchant											P	P	P	P	8.110	n/a
Land Clearing	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.111	F-1
Manufactured Home or RV, Temporary	P	P	P	P			P	P	P						8.112	R-3
Real Estates Office, Temporary	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.113	S-1
Temporary Events (Special Event)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.114	n/a
Yard Sales, Residential and Civic	P	P	P	P	P	P	P	P	P			P	P		8.115	n/a

STATE OF NORTH CAROLINA

18E578

MOORE

County

In The General Court Of Justice
Superior Court Division
Before The Clerk

IN THE MATTER OF THE ESTATE OF:

INVENTORY

Name Of Decedent

HERMAN LAMAR PUSSE

FOR DECEDENT'S ESTATE

G.S. 28A-15-2, 28A-20-1

IMPORTANT: File within three (3) months after qualifying. Itemize and give values as of date of decedent's death. Continue on additional sheet if necessary.

I, the undersigned personal representative, being duly sworn, say that to the best of my knowledge the following is a just, true, and perfect inventory of all the real and personal property of the decedent named above, which has come into my hands or into the hands of any person for me as personal representative of the estate.

PART I. PROPERTY OF THE ESTATE

1. Accounts In Sole Name Of Decedent (List bank, etc., each account no., and balance.)		VALUE
		\$
2. Joint Accounts <u>Without</u> Right Of Survivorship (List bank, etc., each account no., balance, and joint owners.)		
	% Owned By Decedent	
	% Owned By Decedent	
	% Owned By Decedent	
	% Owned By Decedent	
3. Stocks And Bonds In Sole Name Of Decedent Or Jointly Owned <u>Without</u> Right Of Survivorship (Identify each type of security and give market value of all securities of that type, e.g., 100 shares of XYZ Corp. common stock at 37-1/4...\$3,725.)		
Bank West #0.0 122724	100 % Owned By Decedent	127,935.00
	% Owned By Decedent	
	% Owned By Decedent	
	% Owned By Decedent	
	% Owned By Decedent	
4. Cash And Undeposited Checks On Hand		
5. All Other Personal Property (See preliminary inventory on application for checklist of types of property to list.)		
Household furnishings		10,000.00
2005 Chevrolet Colorado VIN#1GCCS196858169437		3,646.00
2004 Toyota Sienna VIN#5TDZA22C74S064403		3,164.00
North Carolina Total Retirement Plans - #143143		10,000.00
6. Real Estate Willed To The Estate, Directed By The Will To Be Sold, And Sold (Attach legal description and proceeds of sale for each parcel.)		
TOTAL FROM ADDITIONAL SHEET IF ANY		\$
SUBTOTAL (Costs apply to this total)		\$ 154,745.00
7. Real Estate Willed To The Estate, Directed By The Will To Be Sold, And Not Sold (Attach legal description of each parcel and give fair market value at date of death.)		
Seven Lakes South Eifort-West - 51.78 acres - Book 295, Page 303	\$	1,250,000.00
TOTAL PART I.		\$ 154,745.00

(Over)

STATE OF NORTH CAROLINA

File No.

2018 E 000578

MOORE County

In The General Court Of Justice
Superior Court Division
Before the Clerk**IN THE MATTER OF THE ESTATE OF:**

Name

HERMAN LAMAR PUSSE

LETTERS

TESTAMENTARY

G.S. 28A-6-1; 28A-6-3; 28A-11-1; 36C-2-209

The Court in the exercise of its jurisdiction of the probate of wills and the administration of estates, and upon application of the fiduciary, has adjudged legally sufficient the qualification of the fiduciary named below and orders that Letters be issued in the above estate.

The fiduciary is fully authorized by the laws of North Carolina to receive and administer all of the assets belonging to the estate, and these Letters are issued to attest to that authority and to certify that it is now in full force and effect.

Witness my hand and the Seal of the Superior Court.

Name And Address Of Fiduciary 1

BRADFORD L PUSSE
380 SULLIVAN COURT

Date Of Qualification

08/08/2018

Clerk Of Superior Court

WHISPERING PINES NC 28327

SUSAN A HICKS

Title Of Fiduciary 1

EXECUTOR

EX OFFICIO JUDGE OF PROBATE

Name And Address Of Fiduciary 2

Date Of Issuance

01/18/2019

Signature



Title Of Fiduciary 2

☒ Deputy CSC ☐ Assistant CSC ☐ Clerk Of Superior Court**SEAL****NOTE: This letter is not valid without the official seal of the Clerk of Superior Court.**

MEMORANDUM TO THE PLANNING BOARD

FROM: Theresa Thompson
Planning Supervisor

DATE: March 5, 2019

SUBJECT: Conditional Rezoning Request: Residential and Agricultural-40 (RA-40) & Highway Commercial (B-2) to Highway Commercial Conditional Zoning (B2-CZ) – Shopping Center

PRESENTER: Theresa Thompson

REQUEST

Justin Schaad is requesting a Conditional Rezoning from Residential and Agricultural-40 (RA-40) & Highway Commercial (B-2) to Highway Commercial Conditional Zoning (B2-CZ) for a shopping center, located on 3 properties: ParID 00022786 (app. 1.48 acres), ParID 00991845 (app. 4.6 acres), and ParID 00022787 (app. 4.01 acres) the total being approximately 10.09 acres, located at 132 Juniper Lake Road, adjacent to the intersection of Juniper Lake Road and US Hwy 15-501, owned by John McKenzie (ParID 00022786, Deed Book 4647 Page 309), Robin McKenzie (ParID 00991845, Book 762 Page 55), and Carolyn McKenzie (ParID 00022787, Deed Book 2018 E Page 70 and Book 266 Page 237).

This case was properly advertised, public hearing sign posted on the property, and all adjacent property owners were notified.

BACKGROUND

The property currently includes 4 single family dwelling units. The dwelling units are occupied by the current property owners and will be demolished.

COMMUNITY MEETING

The community meeting was conducted at the Moore County Agricultural Center on March 21, 2019 between 6:00pm and 7:00pm. Adjacent properties were notified by certified return receipt mail, sent on March 11, 2019 Please refer to the attached report for more details.

CONDITIONAL ZONING (CZ)

Conditional rezoning affords a degree of certainty in land use decisions not possible when rezoning to a general category allowing many different uses. A Conditional Zoning District is a floating zoning district created only at the request of a property owner, through the legislative rezoning process. Uses which may be considered for a conditional zoning district are restricted to those uses listed in the corresponding general zoning district. All development shall follow the specific use standards contained in the Moore County Unified Development Ordinance (UDO).

Either the property owner or the Board of Commissioners may propose specific conditions (Planning Board may recommend conditions) but only those conditions mutually agreed upon to the owner and Board of Commissioners can be imposed.

ZONING DISTRICT COMPATIBILITY

The requested rezoning to Highway Commercial Conditional Zoning (B2-CZ) for a Shopping Center is consistent with the mixture of land uses in the area, including a church (Christ Community Church), First Health of the Carolinas - Hospice & Palliative Care, cell tower, and single family residential. The surrounding area is zoned a mixture of Residential and Agricultural-40 (RA-40), Residential and Agricultural-20 (RA-20), Residential and Agricultural-5 (RA-5), Residential and Agricultural-2 (RA-2), Highway Commercial (B-2), and Neighborhood Business (B-1). Pinehurst's zoning jurisdiction is also adjacent to the property including the following zoning districts: Office Professional (OP) (existing use is a church), Residential-20 (R20), and Residential-8 (R8).

CONSISTENCY WITH THE 2013 MOORE COUNTY LAND USE PLAN

The site has a Medium Density Residential Land Use Classification. The requested zoning to Highway Commercial (B-2) is not compatible with the Medium Density Residential Land Use Classification.

The Commercial/Office/Retail/Institutional Land Use Classification's primary use is intended for shopping/retail uses, dining, entertainment, services, general office space, medical offices, banks, schools, daycares, places of worship, libraries, etc.

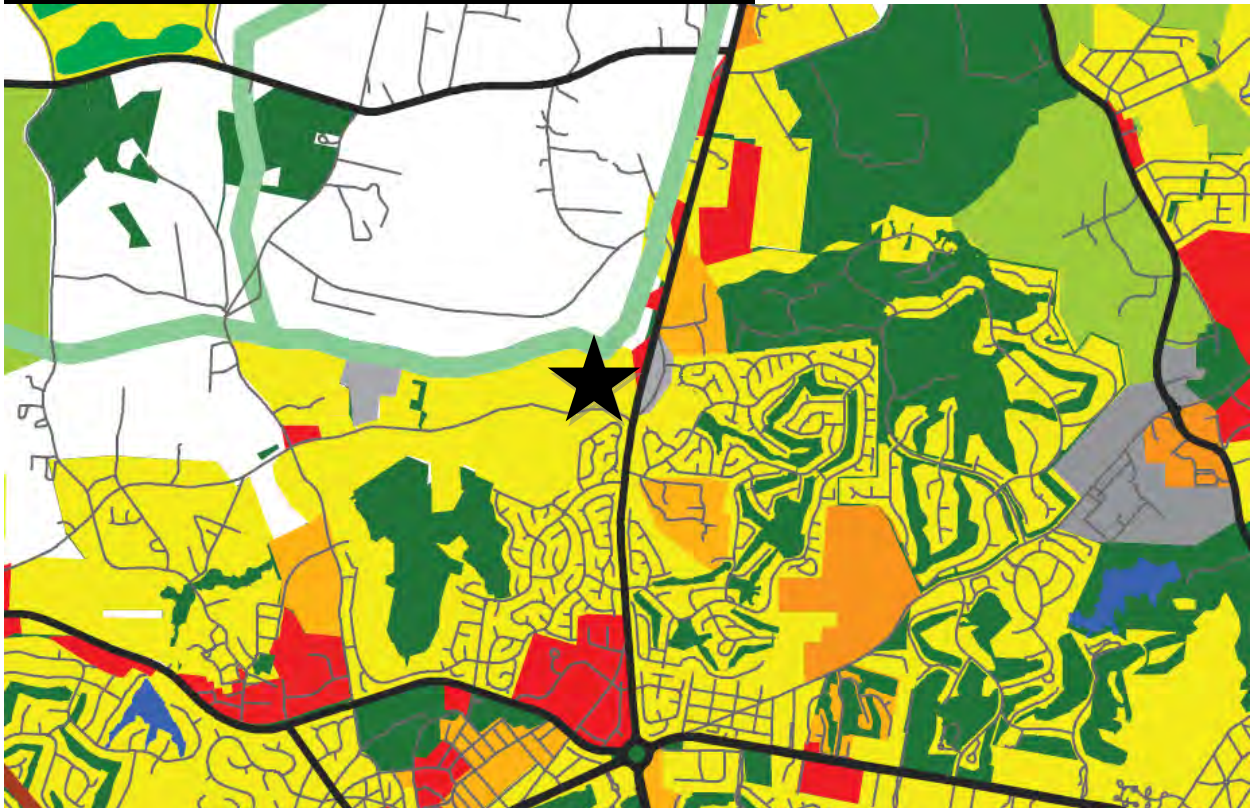
The Moore County Unified Development Ordinance states the Highway Commercial (B-2) district provides for the development of commercial and service centers that serve community, countywide, or regional commercial needs, are accessible by residents from surrounding neighborhoods, and are of such nature so as to minimize conflicts with surrounding residential areas.

Although this site is located within the Medium Density Residential Land Use Classification, the site is located adjacent to a major highway (US Hwy 15-501), other non-residential uses, and is located near the Village of Pinehurst and Town of Southern Pines, providing practicality, easy access, and reduced travel times to the nearby communities. The site is located adjacent to and near other properties with the Commercial/Office/Retail/Institutional Land Use Classification, as indicated by the red color on the maps below. The rezoning request is also consistent with several goals as included in the attached Land Use Plan Consistency Statement, including Goal 3.1: Maximize accessibility among living, working, and shopping areas, and Recommendation 1.7: Support and promote local businesses. Therefore, if approved, staff recommends updating the Land Use Map to reclassify this site to the Commercial/Office/Retail/Institutional Land Use Classification.

MOORE COUNTY FUTURE LAND USE MAP



MOORE COUNTY COMPARISON LAND USE MAP



RECOMMENDATION

Staff recommends the Moore County Planning Board make two separate motions:

Motion #1: Make a motion to adopt or deny the attached Moore County Planning Board Land Use Plan Consistency Statement and authorize its Chairman to execute the document as required by North Carolina General Statute 153A-341. As specified in the Land Use Plan Consistency Statement, a declaration of approval is also deemed an amendment to the Land Use Plan.

Motion #2: Make a motion to recommend approval or denial to the Moore County Board of Commissioners of the Conditional Rezoning from Residential and Agricultural-40 (RA-40) & Highway Commercial (B-2) to Highway Commercial Conditional Zoning (B2-CZ), for a shopping center, located on 3 properties: ParID 00022786 (app. 1.48 acres), ParID 00991845 (app. 4.6 acres), and 00022787 (app. 4.01 acres) the total being approximately 10.09 acres, located at 132 Juniper Lake Road, adjacent to the intersection of Juniper Lake Road and US Hwy 15-501.

ATTACHMENTS

- Pictures of Property and Adjacent Properties
- Vicinity Map
- Aerial Map
- Land Use Map
- Rezoning Map – County Zoning & Municipal Comparison
- Submitted Rezoning Application
- Submitted Site Specific Development Plan
- Planning Board Consistency Statement – Approval
- Planning Board Consistency Statement – Denial
- Community Meeting Report
- Deed Book 4647, Page 309
- Deed Book 762, Page 55
- Estate File 18 E 70
- Deed Book 266 Page 237
- Death Certificate of John McKenzie

Views of subject property from Juniper Lake Road





Adjacent property – 155 Juniper Lake Road



View of the intersection of Juniper Lake Road and US Hwy 15-501 (from Juniper Lake Road)



Juniper Lake Road – Conditional Rezoning – Staff Report





Adjacent property – 251 Campground Road – Hospice & Palliative Care

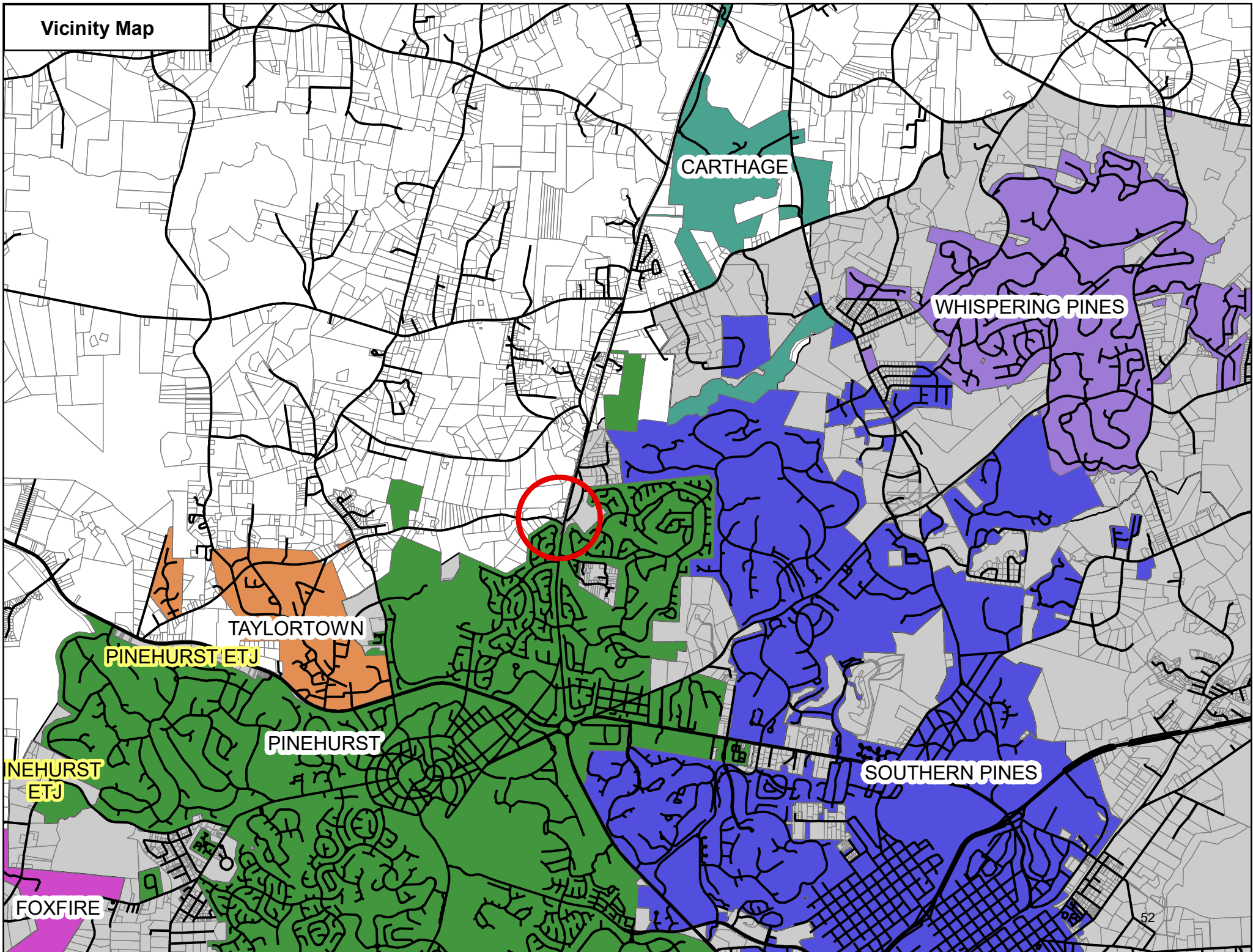


Juniper Lake Road – Conditional Rezoning – Staff Report

Adjacent property – 220 Campground Road – Christ Community Church

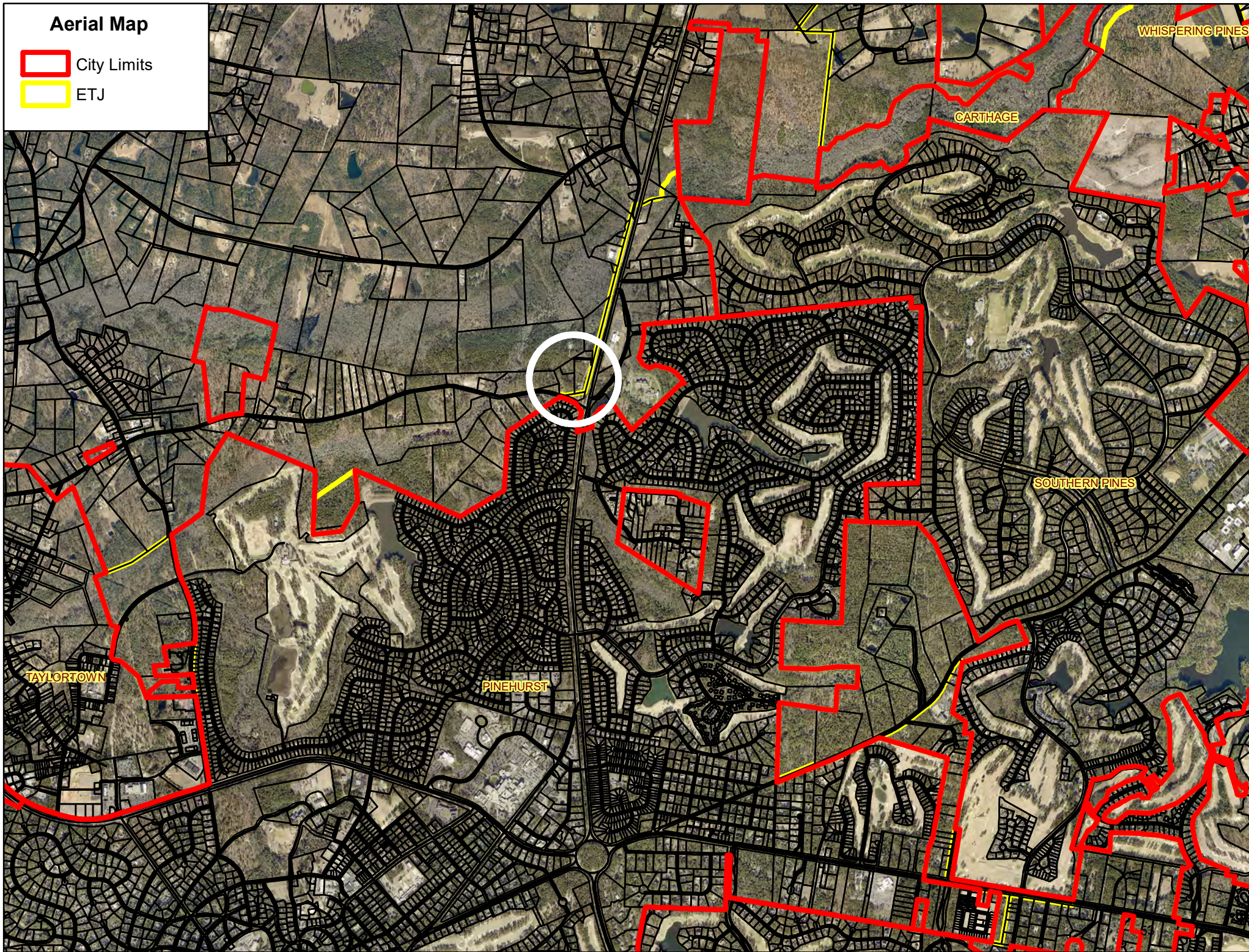


Vicinity Map

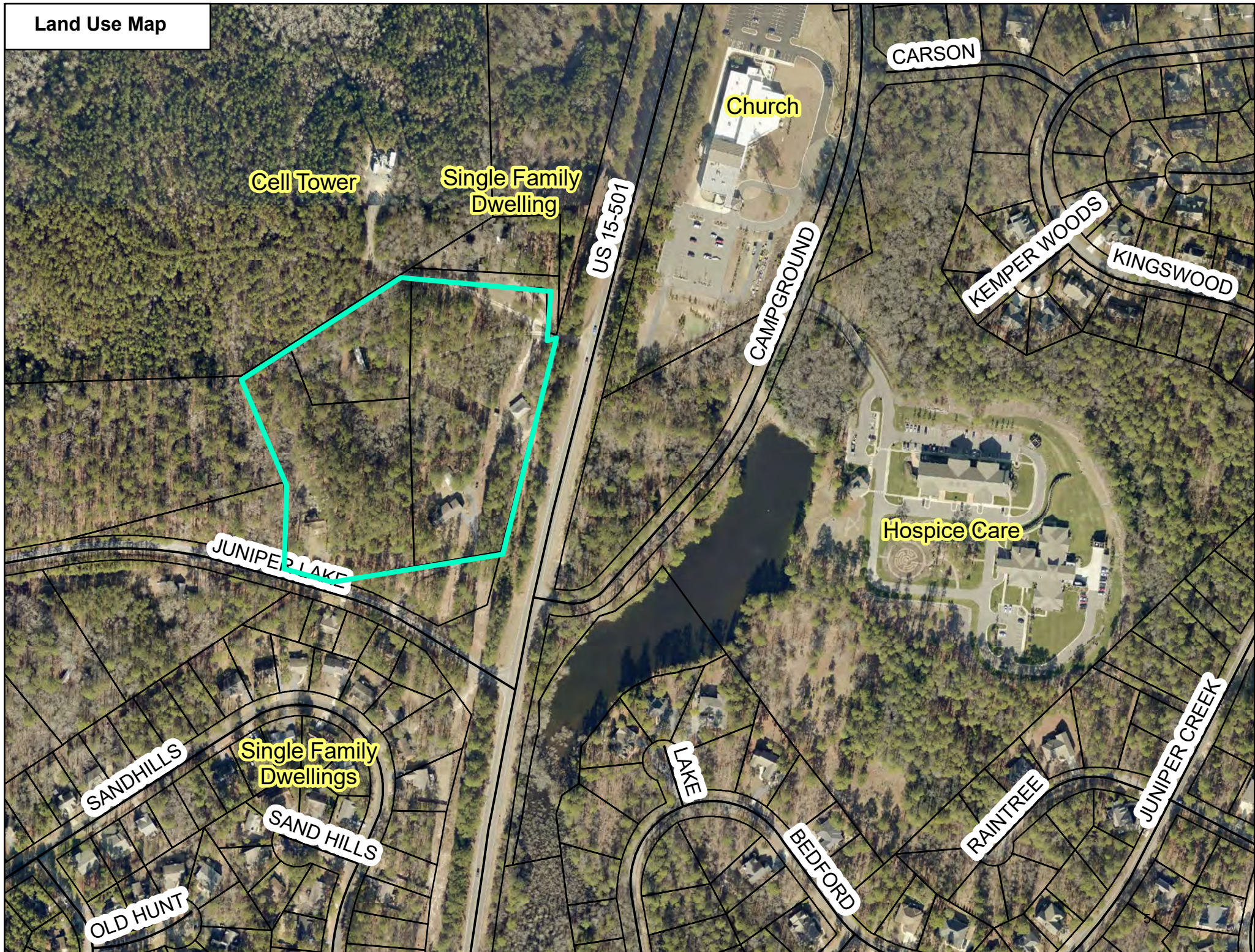


Aerial Map

-  City Limits
-  ETJ



Land Use Map



Rezoning Map

ESTHER

RA-5

B-2

RA-20

BROOKSIDE

PINEHURST

JONES

RA-2

B-1

CAMPGROUND

US 15-501

CARSON

KINGSWOOD

BRUNSWICK
PINEHURST

COLONIAL

Blue shaded area requested
to be rezoned to B2-CZ

RA-20

RA-40

RA-5

RA-20

B-2

RA-40

RA-20

JUNIPER LAKE

SANDHILLS

SAND HILLS

BEDFORD

RAINTREE

JUNIPER CREEK

Rezoning Map

ESTHER

RA-5

B-2

RA-20

BROOKSIDE

R5

JONES

RA-2

B-1

US 15-501

CAMPGROUND

OP

CARSON

KINGSWOOD

PINEHURST R10

COLONIAL

Blue shaded area requested
to be rezoned to B2-CZ

RA-20

RA-40

RA-5

RA-20

B-2

RA-40

RA-20

R20

JUNIPER LAKE

SANDHILLS

R8

BEDFORD

RAINTREE

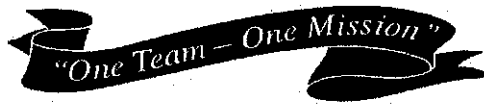
JUNIPER CREEK

RD

App# 24954

County of Moore Planning and Transportation

Parcel
00022707



Inspections/Permitting: (910) 947-2221
Planning: (910) 947-5010
Transportation: (910) 947-3389

Conditional Rezoning Application

Application Date: 02.04.2019

Address of Property: SEE EXHIBIT A

Applicant: JUSTIN K. SCHAAD

Phone: (910) 595-5999

Applicant Address: 211 TRIMBLE PLANT RD.

City: SOUTHERN PINES

St: NC

Zip: 28387

Owner: SEE EXHIBIT A

Phone:

Owner Address:

City:

St:

Zip:

Current Zoning District: RA-40 & B-2

Proposed Zoning District: B-2CZ

Current Use(s): RESIDENTIAL

Proposed Use(s): SHOPPING CENTER

Proposed rules, regulations, condition(s) for the proposed district that address the impacts expected to be generated by the development or use of the site:

The proposed use of the property will follow all conditions prescribed by the
Moore County Unified Development Ordinance.

Statement of reasonableness of the proposed conditional zoning. The statement shall include, but not be limited to the following:

1. The conditional rezoning compatibility with the County Land Use Plan and other adopted plans of the County.
2. The conditional rezoning compatibility with the existing land uses on abutting and neighboring tracts.
3. The benefits and detriments of the conditional rezoning for the subject property, neighboring properties and the surrounding community.

SEE EXHIBIT B

I (We), the undersigned, certify that all statements furnished in this application are true to the best of my (our) knowledge, and do hereby agree to follow all reasonable requests or information as designated by the County of Moore Zoning Administrator.

03.05.2019

Applicant/Owner Signature

Date

SEE EXHIBIT A

Applicant/Owner Signature

Date

Office Use Only:

PAR ID: 00022786, 00022787, 00991845

Russell M. Thompson

3/5/2019

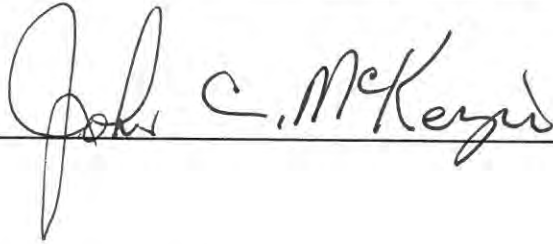
Received By

Date

PARCEL A

PIN	000222786		
ADDRESS	132 JUNIPER LAKE RD. WEST END, NC		
CURRENT ZONING DISTRICT	RA-40		
PROPOSED ZONING DISTRICT	B-2		
CURRENT USE	Residential		
PROPOSED USE	Commercial		
OWNER	JOHN MCKENZIE		
OWNER ADDRESS	8262 Hwy 15-501		
	CITY: West End	STATE: NC	ZIP: 27376
OWNER PHONE NUMBER	910-884-5595		

Owner Signature: _____

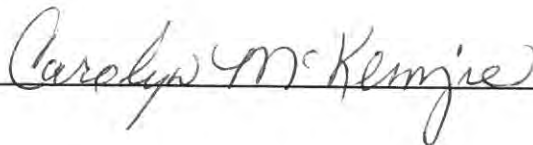


Date: 2-8-2019

PARCEL B

PIN	00022787		
ADDRESS	132 JUNIPER LAKE RD. WEST END, NC		
CURRENT ZONING DISTRICT	RA-40		
PROPOSED ZONING DISTRICT	B-2		
CURRENT USE	Residential		
PROPOSED USE	Commercial		
OWNER	CAROLYN MCKENZIE		
OWNER ADDRESS	132 Juniper Lk. Rd		
	CITY: West End	STATE: NC	ZIP: 27376
OWNER PHONE NUMBER	910 639 0568		

Owner Signature: _____



Date: 2-8-2019

Exhibit B

The following is concerning the conditional rezoning of the following parcels:

Parcel A: ID Number 00022786

Parcel B: ID Number 00022787

Parcel C: ID Number 00991845

The assembly of these parcels shall hereinafter be referred to as the Subject Parcels unless specifically identified.

1. The conditional rezoning compatibility with the County Land Use Plan and other adopted plans of the County.

The current zoning of the Parcel A is RA-40, the current zoning of the Parcel B is both RA-40 and B-2, the current zoning of the Parcel C is both RA-40 and B-2. The requested zoning for the Subject Parcels of B-2 is not in general compatibility with the land use of the RA-40 district; however, the applicant believes the proposed use would be in keeping with the prescribed goals of the Moore County Land Use Plan given the following Actions:

Action 1.8.5: Support and promote infill development that will optimize the use of existing infrastructure.

Action 3.1.1: Adopt policies that encourage development of mixed land uses, as appropriate, to provide easy access, reduce travel time, and improve convenience among uses surrounding the County's established towns and villages.

Action 3.1.2: Encourage non-residential development to locate near major transportation routes and areas served by adequate water, sewer, natural gas, broadband, and electric power.

2. *The conditional rezoning compatibility with the existing land uses on abutting and neighboring tracts.*

The Subject Parcels are located adjacent to HWY 15-501 with approximately fifty percent of the Subject Parcels acreage falling within the highway corridor. While, the preponderance of the Subject Parcels fall within the RA-40 zoning district, a portion of Parcel B and Parcel C are currently within the requested B-2 district. The Subject Parcels share a common property line with HWY 15-501 and are served by adequate water, sewer, broadband, and electric power; therefore, it is the applicants belief that the requested zoning is in keeping with the County Land Use Plan goals as prescribed by *Action 3.1.2*.

3. *The benefits and detriments of the conditional rezoning for the subject property, neighboring properties and the surrounding community.*

It is the applicants belief, should the requested use of the Subject Parcels be granted the net impact on the surrounding community will be positive. The requested use of the Subject Parcels is for a neighborhood shopping center, including a grocery store, with the intent of serving the community North of the Pinehurst roundabout. This community North of the Pinehurst roundabout stretching up HWY 15-501 and down Juniper Lake Road, which is hereby defined as those homes within a 3 mile radius of the Subject Parcels¹ and shall hereinafter be referred to as the Subject Community, has a 2018 population of 12,621 with a total home count of 5,593². The projected 2023 population is 13,734 with a total home count of 6,109³. The 2018 median age of the Subject Community is 55.7⁴, compared to U.S. median age of 38.3 and the county median age of 45⁵. Therefore it is the applicants belief, the residents of the Subject Community would receive a greater benefit from having their everyday shopping needs met within their community then other areas of the county. Furthermore, it is also the applicants belief that a neighborhood shopping center inside the Subject Community will be more effective at promoting infill development as prescribed by *Action 1.8.5* of the County Land Use Plan, in contrast to the current condition of residents traveling outside the Subject Community for their daily shopping needs. It should also be noted that considering residents of the Subject Community currently travel outside the community for their daily shopping, providing those services within the community will reduce the impact on the areas roads especially the Pinehurst roundabout. The impact of additional vehicles entering HWY 15-501 and Juniper Lake Rd will be mitigated by limiting the entrances two a maximum of two and maximizing their distance from the intersection⁶.

¹ See Exhibit C1 for Site Map

² See Exhibit C2 for Community Profile

³ See Exhibit C2 for Community Profile

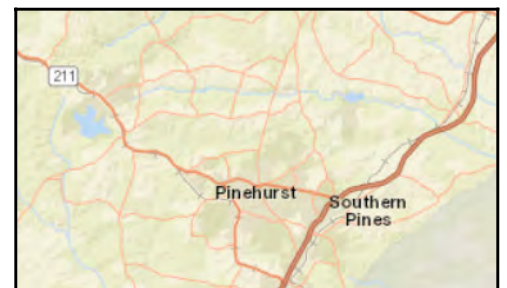
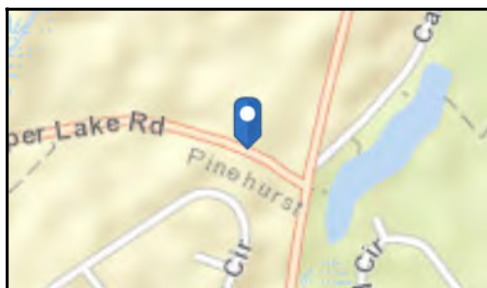
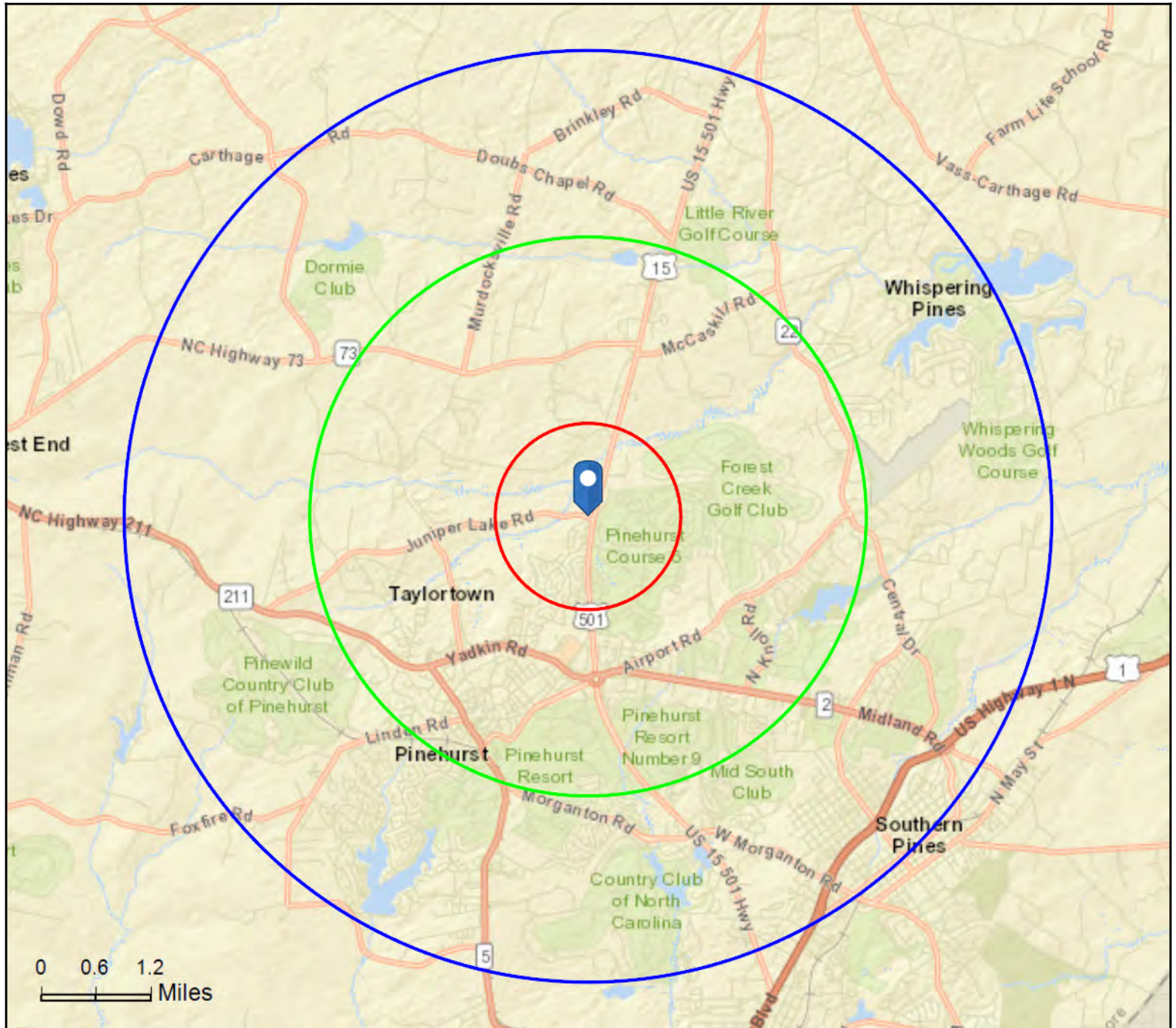
⁴ See Exhibit C2 for Community Profile

⁵ DATA USA <http://datausa.io>

⁶ See Exhibit D1 for Site Plan

Subject Parcels
 132 Juniper Lake Rd, West End, North Carolina, 27376
 Rings: 1, 3, 5 mile radii

Prepared by Esri
 Latitude: 35.22692
 Longitude: -79.45192





Community Profile

EXHIBIT C2

Subject Parcels
132 Juniper Lake Rd, West End, North Carolina, 27376
Rings: 1, 3, 5 mile radii

Prepared by Esri
Latitude: 35.22692
Longitude: -79.45192

	1 mile	3 miles	5 miles
Population Summary			
2000 Total Population	1,568	8,269	24,905
2010 Total Population	2,583	10,996	30,843
2018 Total Population	2,967	12,621	35,423
2018 Group Quarters	32	162	337
2023 Total Population	3,260	13,734	38,403
2018-2023 Annual Rate	1.90%	1.70%	1.63%
2018 Total Daytime Population	1,945	18,033	42,883
Workers	208	10,262	20,640
Residents	1,737	7,771	22,243
Household Summary			
2000 Households	674	3,577	11,039
2000 Average Household Size	2.27	2.25	2.20
2010 Households	1,101	4,835	14,025
2010 Average Household Size	2.32	2.24	2.17
2018 Households	1,265	5,593	16,214
2018 Average Household Size	2.32	2.23	2.16
2023 Households	1,393	6,109	17,634
2023 Average Household Size	2.32	2.22	2.16
2018-2023 Annual Rate	1.95%	1.78%	1.69%
2010 Families	757	3,255	9,356
2010 Average Family Size	2.79	2.72	2.66
2018 Families	858	3,728	10,677
2018 Average Family Size	2.83	2.73	2.68
2023 Families	941	4,057	11,561
2023 Average Family Size	2.83	2.74	2.68
2018-2023 Annual Rate	1.86%	1.71%	1.60%
Housing Unit Summary			
2000 Housing Units	715	4,224	13,106
Owner Occupied Housing Units	82.0%	70.9%	66.3%
Renter Occupied Housing Units	12.3%	13.8%	17.9%
Vacant Housing Units	5.7%	15.3%	15.8%
2010 Housing Units	1,190	5,857	16,882
Owner Occupied Housing Units	77.0%	66.3%	63.1%
Renter Occupied Housing Units	15.5%	16.2%	20.0%
Vacant Housing Units	7.5%	17.4%	16.9%
2018 Housing Units	1,383	6,699	19,505
Owner Occupied Housing Units	76.7%	66.8%	62.5%
Renter Occupied Housing Units	14.8%	16.7%	20.7%
Vacant Housing Units	8.5%	16.5%	16.9%
2023 Housing Units	1,522	7,317	21,172
Owner Occupied Housing Units	77.8%	67.0%	63.1%
Renter Occupied Housing Units	13.7%	16.5%	20.2%
Vacant Housing Units	8.5%	16.5%	16.7%
Median Household Income			
2018	\$70,063	\$64,892	\$57,553
2023	\$76,313	\$70,653	\$61,175
Median Home Value			
2018	\$229,397	\$255,546	\$268,611
2023	\$234,956	\$266,517	\$276,083
Per Capita Income			
2018	\$40,589	\$41,479	\$37,827
2023	\$44,241	\$44,975	\$40,718
Median Age			
2010	46.6	51.3	51.9
2018	48.3	53.7	53.9
2023	50.1	55.7	55.6

Data Note: Household population includes persons not residing in group quarters. Average Household Size is the household population divided by total households.

Persons in families include the householder and persons related to the householder by birth, marriage, or adoption. Per Capita Income represents the income received by all persons aged 15 years and over divided by the total population.

Source: U.S. Census Bureau, Census 2010 Summary File 1. Esri forecasts for 2018 and 2023 Esri converted Census 2000 data into 2010 geography.

February 27, 2019

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Community Profile

EXHIBIT C2

Subject Parcels
132 Juniper Lake Rd, West End, North Carolina, 27376
Rings: 1, 3, 5 mile radii

Prepared by Esri
Latitude: 35.22692
Longitude: -79.45192

	1 mile	3 miles	5 miles
2018 Households by Income			
Household Income Base	1,265	5,593	16,214
<\$15,000	3.9%	6.1%	9.9%
\$15,000 - \$24,999	7.6%	7.7%	9.3%
\$25,000 - \$34,999	10.0%	10.4%	10.6%
\$35,000 - \$49,999	14.6%	14.2%	13.6%
\$50,000 - \$74,999	16.3%	17.2%	17.0%
\$75,000 - \$99,999	17.6%	15.6%	13.7%
\$100,000 - \$149,999	16.1%	14.9%	14.1%
\$150,000 - \$199,999	6.8%	6.7%	6.2%
\$200,000+	7.0%	7.3%	5.6%
Average Household Income	\$92,825	\$91,707	\$82,423
2023 Households by Income			
Household Income Base	1,393	6,109	17,634
<\$15,000	3.6%	5.6%	9.3%
\$15,000 - \$24,999	6.7%	6.8%	8.7%
\$25,000 - \$34,999	9.0%	9.4%	9.8%
\$35,000 - \$49,999	13.6%	13.4%	13.0%
\$50,000 - \$74,999	15.7%	17.0%	16.9%
\$75,000 - \$99,999	18.1%	16.2%	14.2%
\$100,000 - \$149,999	17.9%	16.5%	15.5%
\$150,000 - \$199,999	7.8%	7.5%	6.9%
\$200,000+	7.5%	7.6%	5.7%
Average Household Income	\$101,131	\$99,220	\$88,511
2018 Owner Occupied Housing Units by Value			
Total	1,061	4,475	12,181
<\$50,000	0.7%	1.9%	2.0%
\$50,000 - \$99,999	2.1%	5.4%	5.0%
\$100,000 - \$149,999	10.3%	8.4%	6.6%
\$150,000 - \$199,999	20.8%	14.4%	13.2%
\$200,000 - \$249,999	27.3%	18.4%	17.1%
\$250,000 - \$299,999	14.3%	12.5%	16.3%
\$300,000 - \$399,999	10.8%	14.8%	16.0%
\$400,000 - \$499,999	2.7%	7.4%	7.2%
\$500,000 - \$749,999	8.7%	12.6%	11.4%
\$750,000 - \$999,999	0.0%	2.0%	3.4%
\$1,000,000 - \$1,499,999	2.1%	1.7%	1.4%
\$1,500,000 - \$1,999,999	0.0%	0.2%	0.2%
\$2,000,000 +	0.0%	0.1%	0.2%
Average Home Value	\$282,790	\$325,117	\$333,721
2023 Owner Occupied Housing Units by Value			
Total	1,184	4,903	13,351
<\$50,000	0.3%	1.1%	1.1%
\$50,000 - \$99,999	1.5%	4.0%	3.7%
\$100,000 - \$149,999	8.3%	7.1%	5.6%
\$150,000 - \$199,999	19.5%	13.7%	12.3%
\$200,000 - \$249,999	29.1%	19.6%	18.2%
\$250,000 - \$299,999	15.1%	13.6%	17.3%
\$300,000 - \$399,999	10.0%	13.6%	14.9%
\$400,000 - \$499,999	2.5%	6.6%	6.5%
\$500,000 - \$749,999	11.7%	16.5%	14.6%
\$750,000 - \$999,999	0.0%	2.4%	4.1%
\$1,000,000 - \$1,499,999	1.9%	1.5%	1.2%
\$1,500,000 - \$1,999,999	0.0%	0.2%	0.2%
\$2,000,000 +	0.0%	0.1%	0.2%
Average Home Value	\$295,795	\$342,404	\$351,099

Data Note: Income represents the preceding year, expressed in current dollars. Household income includes wage and salary earnings, interest dividends, net rents, pensions, SSI and welfare payments, child support, and alimony.

Source: U.S. Census Bureau, Census 2010 Summary File 1. Esri forecasts for 2018 and 2023 Esri converted Census 2000 data into 2010 geography.

February 27, 2019

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Community Profile

EXHIBIT C2

Subject Parcels
132 Juniper Lake Rd, West End, North Carolina, 27376
Rings: 1, 3, 5 mile radii

Prepared by Esri
Latitude: 35.22692
Longitude: -79.45192

	1 mile	3 miles	5 miles
2010 Population by Age			
Total	2,583	10,996	30,847
0 - 4	6.1%	4.8%	4.9%
5 - 9	6.0%	5.3%	5.3%
10 - 14	5.7%	5.4%	5.2%
15 - 24	5.9%	7.0%	7.7%
25 - 34	11.3%	8.8%	8.2%
35 - 44	13.2%	11.3%	10.5%
45 - 54	11.3%	12.0%	11.9%
55 - 64	13.7%	15.4%	15.0%
65 - 74	13.7%	15.0%	15.2%
75 - 84	9.1%	10.5%	10.9%
85 +	3.9%	4.6%	5.1%
18 +	79.4%	81.5%	81.4%
2018 Population by Age			
Total	2,967	12,624	35,423
0 - 4	5.2%	4.2%	4.4%
5 - 9	6.0%	4.9%	4.9%
10 - 14	6.1%	5.3%	5.2%
15 - 24	8.9%	8.3%	8.6%
25 - 34	6.7%	6.8%	7.4%
35 - 44	12.7%	10.1%	9.2%
45 - 54	13.1%	12.0%	11.5%
55 - 64	13.4%	15.3%	15.0%
65 - 74	14.5%	17.5%	17.5%
75 - 84	9.4%	10.9%	10.9%
85 +	4.0%	4.9%	5.4%
18 +	79.3%	82.7%	82.5%
2023 Population by Age			
Total	3,260	13,734	38,402
0 - 4	4.8%	3.9%	4.2%
5 - 9	5.5%	4.5%	4.5%
10 - 14	6.3%	5.2%	5.1%
15 - 24	9.4%	8.2%	8.5%
25 - 34	7.6%	7.2%	7.8%
35 - 44	9.8%	8.6%	8.3%
45 - 54	13.2%	11.5%	10.8%
55 - 64	13.8%	14.8%	14.4%
65 - 74	14.9%	18.4%	18.2%
75 - 84	10.6%	12.8%	12.8%
85 +	4.1%	5.0%	5.3%
18 +	79.7%	83.3%	83.2%
2010 Population by Sex			
Males	1,203	5,170	14,434
Females	1,380	5,826	16,409
2018 Population by Sex			
Males	1,388	5,957	16,687
Females	1,579	6,664	18,737
2023 Population by Sex			
Males	1,522	6,483	18,109
Females	1,739	7,252	20,294

Source: U.S. Census Bureau, Census 2010 Summary File 1. Esri forecasts for 2018 and 2023 Esri converted Census 2000 data into 2010 geography.

February 27, 2019

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Community Profile

EXHIBIT C2

Subject Parcels
132 Juniper Lake Rd, West End, North Carolina, 27376
Rings: 1, 3, 5 mile radii

Prepared by Esri
Latitude: 35.22692
Longitude: -79.45192

	1 mile	3 miles	5 miles
2010 Population by Race/Ethnicity			
Total	2,581	10,997	30,844
White Alone	87.4%	83.3%	80.6%
Black Alone	9.1%	12.9%	15.3%
American Indian Alone	0.5%	0.5%	0.6%
Asian Alone	1.2%	1.1%	1.0%
Pacific Islander Alone	0.0%	0.0%	0.0%
Some Other Race Alone	0.5%	0.8%	1.0%
Two or More Races	1.3%	1.4%	1.5%
Hispanic Origin	2.4%	2.5%	3.1%
Diversity Index	26.5	32.4	36.8
2018 Population by Race/Ethnicity			
Total	2,968	12,621	35,424
White Alone	87.0%	83.3%	80.0%
Black Alone	7.8%	11.3%	14.3%
American Indian Alone	0.5%	0.5%	0.6%
Asian Alone	2.3%	2.1%	1.9%
Pacific Islander Alone	0.0%	0.0%	0.0%
Some Other Race Alone	0.6%	0.9%	1.2%
Two or More Races	1.7%	1.8%	2.0%
Hispanic Origin	2.7%	2.9%	3.6%
Diversity Index	27.6	33.2	38.5
2023 Population by Race/Ethnicity			
Total	3,260	13,736	38,402
White Alone	86.8%	83.2%	79.7%
Black Alone	7.3%	10.6%	13.6%
American Indian Alone	0.5%	0.5%	0.6%
Asian Alone	2.8%	2.6%	2.4%
Pacific Islander Alone	0.0%	0.0%	0.1%
Some Other Race Alone	0.6%	1.0%	1.3%
Two or More Races	1.9%	2.1%	2.3%
Hispanic Origin	3.1%	3.3%	4.2%
Diversity Index	28.6	34.0	39.8
2010 Population by Relationship and Household Type			
Total	2,583	10,996	30,843
In Households	98.8%	98.5%	98.9%
In Family Households	82.7%	81.7%	81.8%
Householder	29.8%	30.0%	30.2%
Spouse	25.7%	25.3%	24.7%
Child	24.5%	23.3%	23.4%
Other relative	1.5%	2.0%	2.3%
Nonrelative	1.0%	1.1%	1.2%
In Nonfamily Households	16.1%	16.8%	17.1%
In Group Quarters	1.2%	1.5%	1.1%
Institutionalized Population	1.2%	1.5%	1.1%
Noninstitutionalized Population	0.0%	0.0%	0.0%

Data Note: Persons of Hispanic Origin may be of any race. The Diversity Index measures the probability that two people from the same area will be from different race/ethnic groups.

Source: U.S. Census Bureau, Census 2010 Summary File 1. Esri forecasts for 2018 and 2023 Esri converted Census 2000 data into 2010 geography.

February 27, 2019

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Community Profile

Subject Parcels
132 Juniper Lake Rd, West End, North Carolina, 27376
Rings: 1, 3, 5 mile radii

Prepared by Esri
Latitude: 35.22692
Longitude: -79.45192

EXHIBIT C2

	1 mile	3 miles	5 miles
2018 Population 25+ by Educational Attainment			
Total	2,191	9,766	27,235
Less than 9th Grade	0.8%	1.3%	2.2%
9th - 12th Grade, No Diploma	1.7%	2.4%	3.0%
High School Graduate	19.0%	15.7%	15.2%
GED/Alternative Credential	2.0%	2.5%	2.4%
Some College, No Degree	18.1%	18.0%	18.8%
Associate Degree	10.2%	11.2%	10.5%
Bachelor's Degree	27.7%	28.3%	27.6%
Graduate/Professional Degree	20.5%	20.6%	20.4%
2018 Population 15+ by Marital Status			
Total	2,455	10,813	30,279
Never Married	12.7%	16.3%	19.7%
Married	67.3%	63.3%	59.4%
Widowed	10.6%	11.1%	11.4%
Divorced	9.4%	9.2%	9.5%
2018 Civilian Population 16+ in Labor Force			
Civilian Employed	95.7%	95.3%	95.4%
Civilian Unemployed (Unemployment Rate)	4.3%	4.7%	4.6%
2018 Employed Population 16+ by Industry			
Total	1,211	4,777	12,875
Agriculture/Mining	0.7%	0.5%	1.7%
Construction	4.1%	4.6%	6.2%
Manufacturing	8.2%	6.8%	5.9%
Wholesale Trade	1.5%	1.5%	1.2%
Retail Trade	8.3%	9.3%	9.7%
Transportation/Utilities	5.0%	3.4%	3.1%
Information	2.3%	1.6%	1.2%
Finance/Insurance/Real Estate	2.5%	3.0%	5.5%
Services	59.3%	63.6%	59.9%
Public Administration	8.1%	5.6%	5.7%
2018 Employed Population 16+ by Occupation			
Total	1,211	4,777	12,875
White Collar	75.1%	71.2%	66.5%
Management/Business/Financial	19.0%	17.7%	15.5%
Professional	32.3%	30.9%	30.7%
Sales	15.5%	12.2%	11.5%
Administrative Support	8.3%	10.3%	8.7%
Services	16.9%	20.3%	21.2%
Blue Collar	8.0%	8.5%	12.3%
Farming/Forestry/Fishing	0.0%	0.0%	0.7%
Construction/Extraction	2.1%	3.0%	4.5%
Installation/Maintenance/Repair	2.3%	2.6%	2.1%
Production	3.1%	2.0%	2.3%
Transportation/Material Moving	0.6%	0.9%	2.7%
2010 Population By Urban/ Rural Status			
Total Population	2,583	10,996	30,843
Population Inside Urbanized Area	0.0%	0.0%	0.0%
Population Inside Urbanized Cluster	89.4%	78.0%	80.2%
Rural Population	10.6%	22.0%	19.8%

Source: U.S. Census Bureau, Census 2010 Summary File 1. Esri forecasts for 2018 and 2023 Esri converted Census 2000 data into 2010 geography.

February 27, 2019

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Community Profile

EXHIBIT C2

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Rings: 1, 3, 5 mile radii

Prepared by Esri
Latitude: 35.22692
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	1 mile	3 miles	5 miles
2010 Households by Type			
Total	1,102	4,835	14,025
Households with 1 Person	26.3%	28.3%	29.5%
Households with 2+ People	73.7%	71.7%	70.5%
Family Households	68.7%	67.3%	66.7%
Husband-wife Families	59.3%	56.8%	54.5%
With Related Children	19.9%	16.0%	14.4%
Other Family (No Spouse Present)	9.3%	10.5%	12.2%
Other Family with Male Householder	1.8%	2.4%	2.6%
With Related Children	1.1%	1.1%	1.2%
Other Family with Female Householder	7.5%	8.1%	9.7%
With Related Children	5.0%	5.2%	6.4%
Nonfamily Households	5.0%	4.4%	3.7%
All Households with Children	26.3%	22.6%	22.3%
Multigenerational Households	1.5%	2.0%	2.0%
Unmarried Partner Households	4.1%	4.0%	3.6%
Male-female	3.4%	3.2%	3.0%
Same-sex	0.7%	0.8%	0.6%
2010 Households by Size			
Total	1,101	4,834	14,026
1 Person Household	26.3%	28.3%	29.5%
2 Person Household	44.1%	45.0%	44.6%
3 Person Household	12.8%	11.7%	11.7%
4 Person Household	11.1%	9.6%	9.0%
5 Person Household	4.4%	4.0%	3.5%
6 Person Household	0.9%	1.1%	1.1%
7 + Person Household	0.5%	0.4%	0.5%
2010 Households by Tenure and Mortgage Status			
Total	1,101	4,835	14,025
Owner Occupied	83.2%	80.3%	76.0%
Owned with a Mortgage/Loan	58.3%	51.3%	47.8%
Owned Free and Clear	24.9%	29.0%	28.2%
Renter Occupied	16.8%	19.7%	24.0%
2010 Housing Units By Urban/ Rural Status			
Total Housing Units	1,190	5,857	16,882
Housing Units Inside Urbanized Area	0.0%	0.0%	0.0%
Housing Units Inside Urbanized Cluster	87.8%	79.6%	82.1%
Rural Housing Units	12.2%	20.4%	17.9%

Data Note: Households with children include any households with people under age 18, related or not. Multigenerational households are families with 3 or more parent-child relationships. Unmarried partner households are usually classified as nonfamily households unless there is another member of the household related to the householder. Multigenerational and unmarried partner households are reported only to the tract level. Esri estimated block group data, which is used to estimate polygons or non-standard geography.

Source: U.S. Census Bureau, Census 2010 Summary File 1. Esri forecasts for 2018 and 2023 Esri converted Census 2000 data into 2010 geography.

February 27, 2019

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Community Profile

EXHIBIT C2

Subject Parcels
132 Juniper Lake Rd, West End, North Carolina, 27376
Rings: 1, 3, 5 mile radii

Prepared by Esri
Latitude: 35.22692
Longitude: -79.45192

	1 mile	3 miles	5 miles
Top 3 Tapestry Segments			
1.	Middleburg (4C)	Silver & Gold (9A)	Silver & Gold (9A)
2.	Silver & Gold (9A)	Middleburg (4C) Comfortable Empty Nesters	
3.	Rural Bypasses (10E)	Rural Bypasses (10E)	Middleburg (4C)
2018 Consumer Spending			
Apparel & Services: Total \$	\$2,959,390	\$12,695,102	\$33,241,162
Average Spent	\$2,339.44	\$2,269.82	\$2,050.15
Spending Potential Index	108	104	94
Education: Total \$	\$1,796,458	\$7,654,238	\$21,030,866
Average Spent	\$1,420.12	\$1,368.54	\$1,297.08
Spending Potential Index	98	95	90
Entertainment/Recreation: Total \$	\$4,611,742	\$20,440,959	\$52,606,996
Average Spent	\$3,645.65	\$3,654.74	\$3,244.54
Spending Potential Index	113	113	101
Food at Home: Total \$	\$6,955,212	\$30,799,667	\$79,956,899
Average Spent	\$5,498.19	\$5,506.82	\$4,931.35
Spending Potential Index	110	110	98
Food Away from Home: Total \$	\$4,911,641	\$21,143,786	\$55,101,083
Average Spent	\$3,882.72	\$3,780.40	\$3,398.36
Spending Potential Index	111	108	97
Health Care: Total \$	\$8,651,810	\$39,027,719	\$99,485,994
Average Spent	\$6,839.38	\$6,977.96	\$6,135.81
Spending Potential Index	119	122	107
HH Furnishings & Equipment: Total \$	\$3,030,144	\$13,177,691	\$34,010,614
Average Spent	\$2,395.37	\$2,356.10	\$2,097.61
Spending Potential Index	115	113	100
Personal Care Products & Services: Total \$	\$1,199,353	\$5,199,551	\$13,521,048
Average Spent	\$948.11	\$929.65	\$833.91
Spending Potential Index	115	112	101
Shelter: Total \$	\$22,583,488	\$97,690,201	\$261,794,323
Average Spent	\$17,852.56	\$17,466.51	\$16,146.19
Spending Potential Index	106	104	96
Support Payments/Cash Contributions/Gifts in Kind: Total \$	\$3,714,365	\$16,741,709	\$43,370,244
Average Spent	\$2,936.26	\$2,993.33	\$2,674.86
Spending Potential Index	118	120	108
Travel: Total \$	\$3,093,855	\$13,431,760	\$35,011,350
Average Spent	\$2,445.74	\$2,401.53	\$2,159.33
Spending Potential Index	114	112	100
Vehicle Maintenance & Repairs: Total \$	\$1,549,410	\$6,828,243	\$17,577,116
Average Spent	\$1,224.83	\$1,220.86	\$1,084.07
Spending Potential Index	114	114	101

Data Note: Consumer spending shows the amount spent on a variety of goods and services by households that reside in the area. Expenditures are shown by broad budget categories that are not mutually exclusive. Consumer spending does not equal business revenue. Total and Average Amount Spent Per Household represent annual figures. The Spending Potential Index represents the amount spent in the area relative to a national average of 100.

Source: Consumer Spending data are derived from the 2015 and 2016 Consumer Expenditure Surveys, Bureau of Labor Statistics. Esri.

Source: U.S. Census Bureau, Census 2010 Summary File 1. Esri forecasts for 2018 and 2023 Esri converted Census 2000 data into 2010 geography.

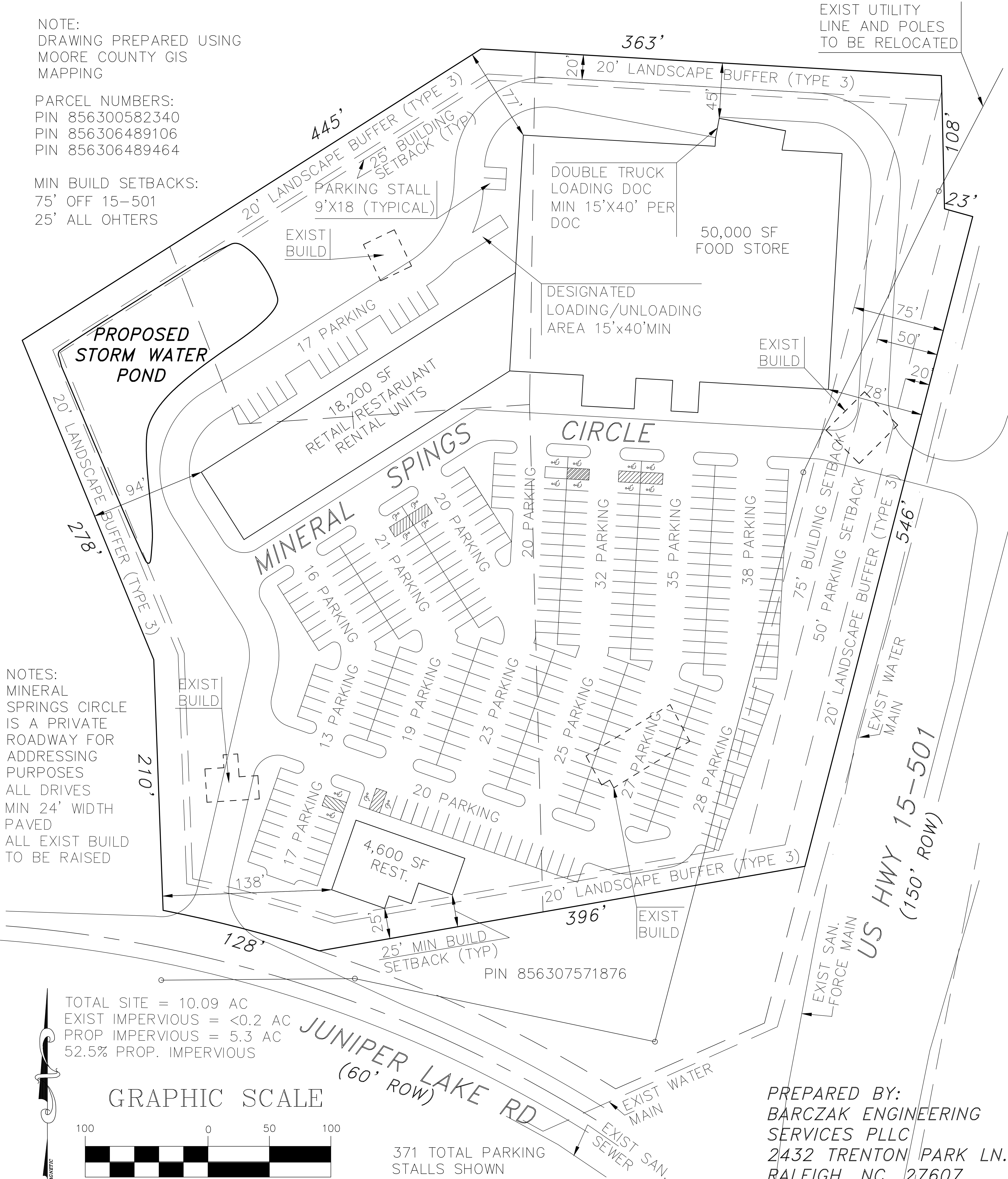
PROPOSED RETAIL SHOPPING CENTER
MINERAL SPRINGS TOWNSHIP NORTH CAROLINA

NOTE:
DRAWING PREPARED USING
MOORE COUNTY GIS
MAPPING

PARCEL NUMBERS:
PIN 856300582340
PIN 856306489106
PIN 856306489464

MIN BUILD SETBACKS:
75' OFF 15-501
25' ALL OTHERS

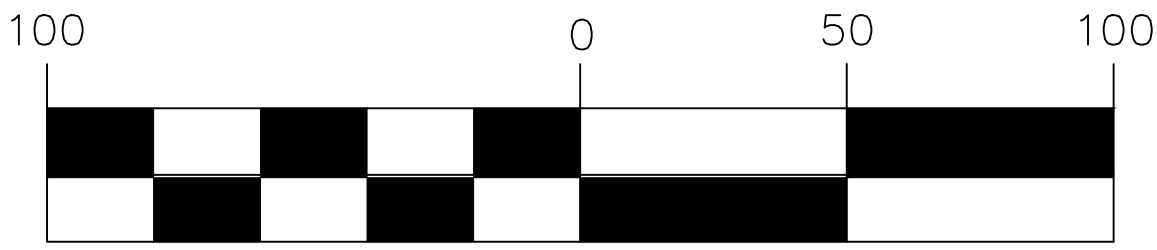
EXIST UTILITY
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TO BE RELOCATED



NOTES:
MINERAL
SPRINGS CIRCLE
IS A PRIVATE
ROADWAY FOR
ADDRESSING
PURPOSES
ALL DRIVES
MIN 24' WIDTH
PAVED
ALL EXIST BUILD
TO BE RAISED

TOTAL SITE = 10.09 AC
EXIST IMPERVIOUS = <0.2 AC
PROP IMPERVIOUS = 5.3 AC
52.5% PROP. IMPERVIOUS

GRAPHIC SCALE



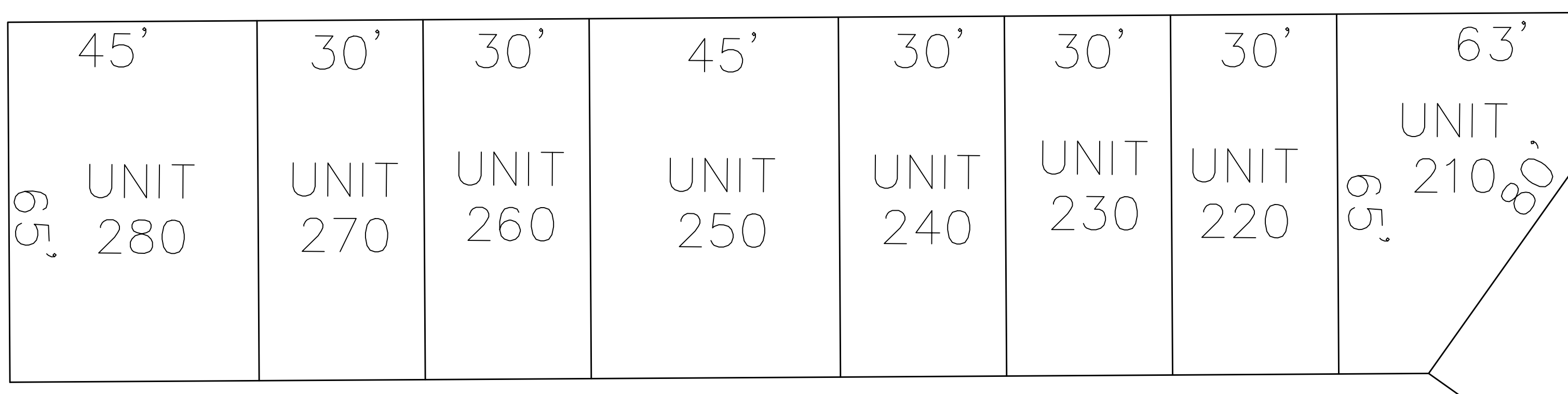
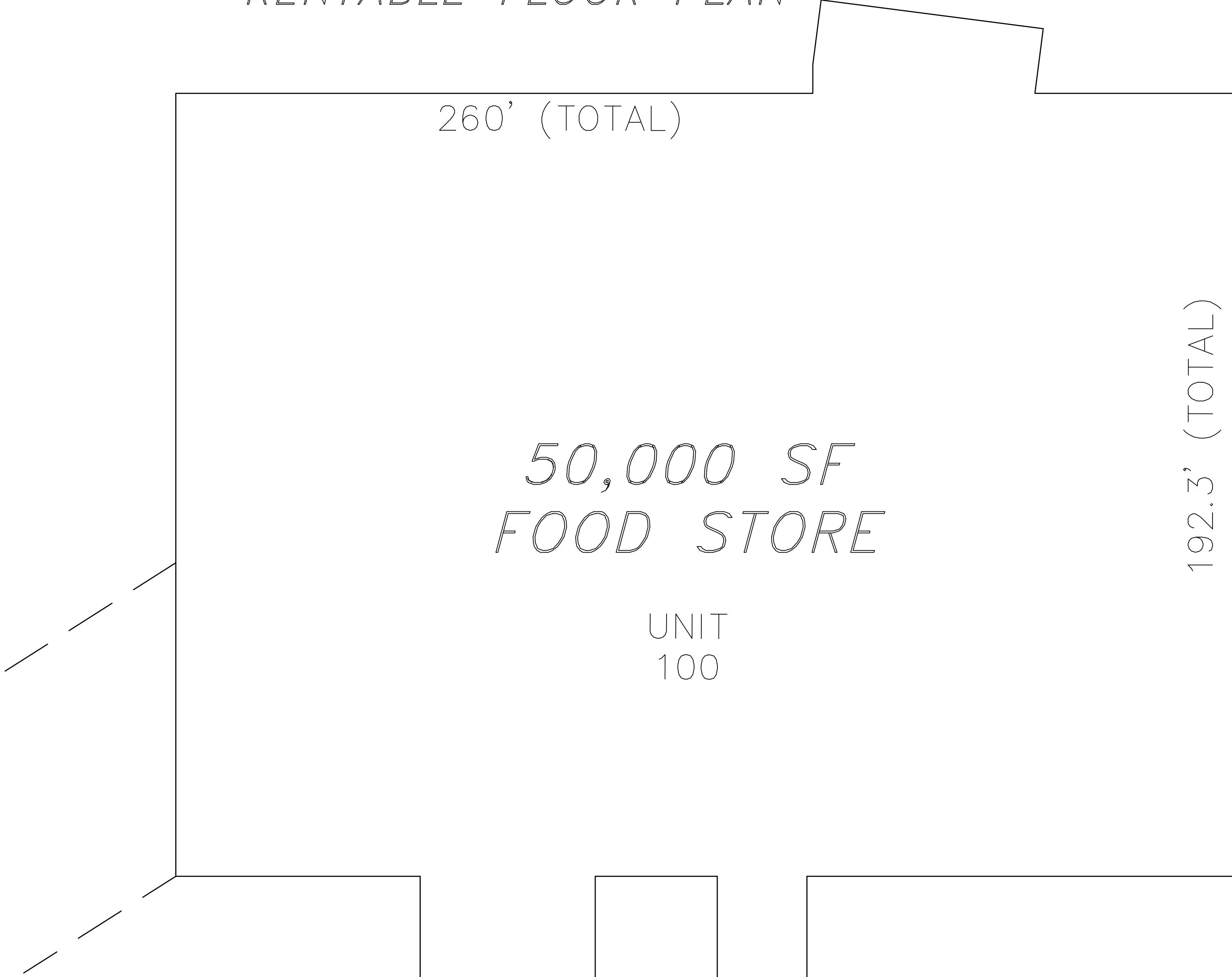
(IN FEET)

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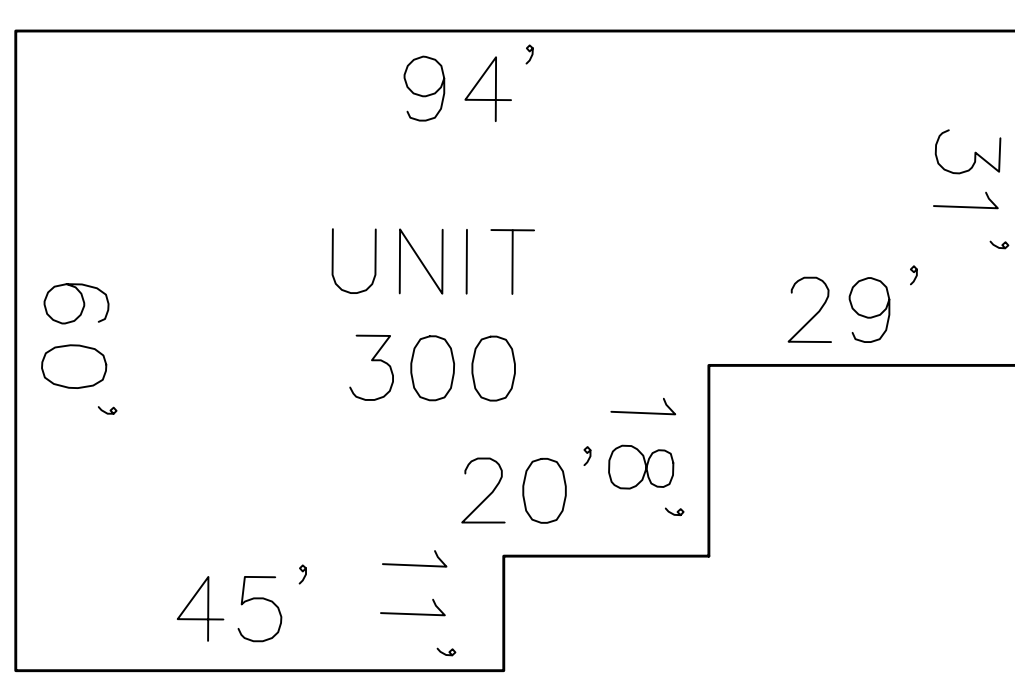
371 TOTAL PARKING
STALLS SHOWN

PREPARED BY:
BARCZAK ENGINEERING
SERVICES PLLC
2432 TRENTON PARK LN.
RALEIGH, NC. 27607
ph 414-429-4865

PROPOSED RETAIL SHOPPING CENTER
MINERAL SPRINGS TOWNSHIP NORTH CAROLINA
RENTABLE FLOOR PLAN



18,200 SF RETAIL/RESTAURANT



4,600 SF RESTAURANT

Moore County Planning Board
Land Use Plan Consistency Statement
Conditional Rezoning Request
Residential and Agricultural-40 (RA-40) & Highway Commercial (B-2) to
Highway Commercial Conditional Zoning (B2-CZ) (Shopping Center)

The Moore County Planning Board finds that:

1. The rezoning request is consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around the municipalities)

- Recommendation 1.7: Support and promote local businesses
- Action 1.8.8: Support and promote infill development that will optimize the use of existing infrastructure.

Goal 3: Optimize the Uses of Land Within the County of Moore

- Goal 3.1: Maximize accessibility among living, working, and shopping areas
- Recommendation 3.4: Encourage development in areas where the necessary infrastructure (roads, water, sewer, and schools) are available, planned or most cost-efficiently be provided and extended to serve development.

2. Approval of the rezoning request is also deemed an amendment to the Land Use Plan Future Land Use Map by reclassifying the site to the Commercial/Office/Retail/Institutional Land Use Classification.

3. Contributing factors in the rezoning approval is in response to managing the demand of residential growth, largely resulting from the influx of families spurred by Fort Bragg's growth from the Base Realignment and Closure.

4. The rezoning request is reasonable and in the public interest considering the property is located adjacent to the Village of Pinehurst and Town of Southern Pines communities and has availability of public water.

Therefore, the Moore County Planning Board recommends **APPROVAL** of the Conditional Rezoning from Residential and Agricultural-40 (RA-40) & Highway Commercial (B-2) to Highway Commercial Conditional Zoning (B2-CZ) for a

shopping center, located on 3 properties: ParID 00022786 (app. 1.48 acres), ParID 00991845 (app. 4.6 acres), and ParID 00022787 (app. 4.01 acres) the total being approximately 10.09 acres, located at 132 Juniper Lake Road, adjacent to the intersection of Juniper Lake Road and US Hwy 15-501.

Eddie Nobles, Chair
Moore County Planning Board

Date

Moore County Planning Board
Land Use Plan Consistency Statement
Conditional Rezoning Request
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- Goal 3.1: Maximize accessibility among living, working, and shopping areas
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2. Approval of the rezoning request is also deemed an amendment to the Land Use Plan Future Land Use Map by reclassifying the site to the Commercial/Office/Retail/Institutional Land Use Classification.

3. Contributing factors in the rezoning approval is in response to managing the demand of residential growth, largely resulting from the influx of families spurred by Fort Bragg's growth from the Base Realignment and Closure.

4. The proposed rezoning is not reasonable and not in the public interest because the proposed rezoning will have an unreasonable impact on the surrounding community.

Therefore, the Moore County Planning Board recommends **DENIAL** of the Conditional Rezoning from Residential and Agricultural-40 (RA-40) & Highway Commercial (B-2) to Highway Commercial Conditional Zoning (B2-CZ) for a

shopping center, located on 3 properties: ParID 00022786 (app. 1.48 acres), ParID 00991845 (app. 4.6 acres), and ParID 00022787 (app. 4.01 acres) the total being approximately 10.09 acres, located at 132 Juniper Lake Road, adjacent to the intersection of Juniper Lake Road and US Hwy 15-501.

Eddie Nobles, Chair
Moore County Planning Board

Date

SHOPPING CENTER - COMMUNITY MEETING REPORT
THURSDAY, MARCH 21, 2019 6-7PM
MOORE COUNTY AGRICULTURAL CENTER – 707 PINEHURST AVE., CARTHAGE

Community Members Present:

See attached sign-in sheet

Applicant's Representatives Present:

Justin Schaad, John O'Malley,
Jeff Barczak

Staff Present:

Theresa Thompson

Justin Schaad opened the meeting and presented the proposed site plan. Theresa Thompson explained the conditional rezoning process. Jeff Barczak explained that there are no tenants selected yet and the process is in the preliminary stages including parking and drainage. Justin explained that they are proposing a neighborhood market for the local community.

A summary of the questions/issues and responses discussed include the following:

Question – Where will the entrances be?

Response – One will be located on US Hwy 15/501 and the 2nd entrance will be on Juniper Lake Road, approximately 400-500 feet away from the intersection. The entrances will need to meet NCDOT design requirements.

Question – The 2nd entrance on Juniper Lake Road is dangerous and located in front of my home. People drive 40-50 miles per hour and then slam on breaks. We have 2 blind spots when pulling out of our drive. There will be heavy traffic. What are the plans for the houses across the street?

Response –The traffic impact analysis will dictate traffic issues.

Question– Should the traffic impact analysis be done first?

Response –The TIA is required before any construction permits. They are costly. The TIA may require that we need to move the entrance.

Question by Jeff Barczak – What would you like to see?

Response from participant in the audience – The entrance not to be located on Juniper Lake Road and to buy our property.

Question – Can Juniper Lake Road be widened to a 3 lane road?

Response – The TIA would dictate. The design right now is for the truck traffic to use the 15/501 entrance.

Comment – Traffic is a big concern.

Response – The TIA may require that we have to move the driveway and may require conditional rezoning approval again.

Question – Why did you decide to develop there?

Response – The area is projected for population growth. The shopping center will service a proximity of 500 homes. The site has water and sewer available. The property is the best located between Carthage and Pinehurst. We are interested in preserving the look and feel of Pinehurst.

Question – Are you local?

Response from Justin Schaad – I have lived in Southern Pines for 20 years. John O'Malley has live in Southern Pines for 30 years.

Question – Can you have both entrances on 15/501?

Response – NCDOT will not allow that.

Question – Could there be a stop light required?

Response – There could be.

Issue – Are there any plans to improve Juniper Lake Road?

Response – NCDOT does not have plans to improve Juniper Lake Road. NCDOT does have a long range plan to improve 15/501 which will make it safer.

Question – Have you spoken with the church?

Response – We have. A representative of the church spoke up and stated that as a whole the church is not against the rezoning request. A stop light will help because it is difficult to pull out of there.

Question – How far is the frontage on 15/501?

Response – Approximately 760 feet.

Issue – How will a business decide to locate there?

Response – Based on consumer spending in the area. Tenants do their own analysis also.

Question from Jeff Barczak – What types of stores would you like to see?

Response from audience – Something for the kids such as recreation or a daycare.

Question – Are the building locations locked in?

Response – Yes

Question – Any input from First Health or Hospice?

Response – Not yet, we are planning on meeting with them.

Question from Justin Schaad – How many of you shop at Harris Teeter, Food Lion, or Lowes Food?

Response from audience – Hwy 5, Pinecrest Plaza, Southern Pines is not far.

Issue – How many wetlands?

Response – Wetland study has not been conducted at this time.

List of those notified of the Community Meeting (abutting property owners):

Community Evangelical Free	Church of the Sandhills Inc
FirstHealth of the Carolinas Inc	
John McKenzie	Carolyn McKenzie
Joy D Finley Stafford	
Lee Allwein	Susan Allwein
Crystal McKenzie & Steven Carrico	
Joan Trustee Manual	Sharon & Paul McDonald
Robin Denise McKenzie	
John McKenzie	Carolyn McKenzie
John McKenzie	
Justin Schaad	

Attachments:

- Site plan presented at the Community Meeting
- Community Meeting sign-in sheet

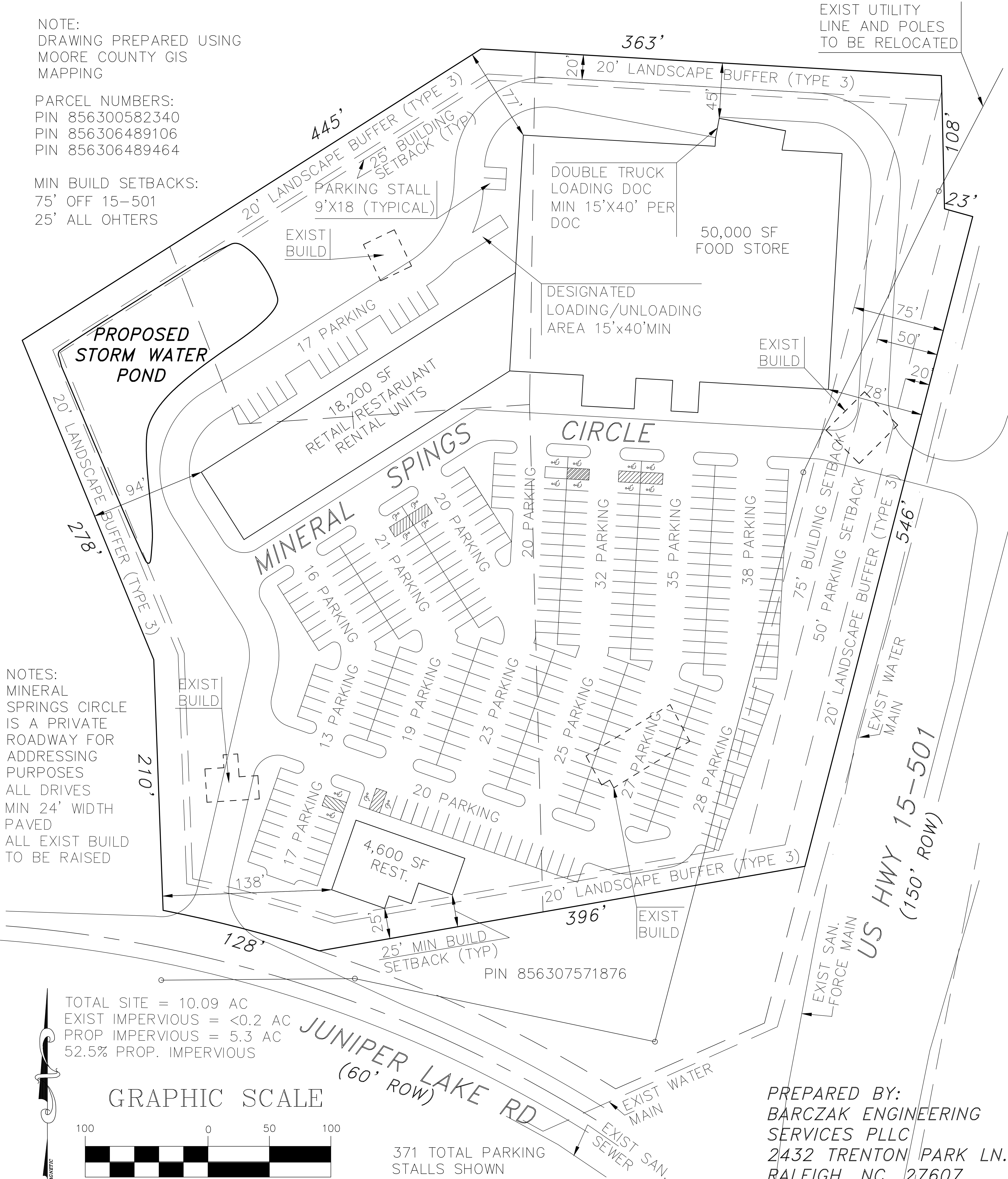
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MINERAL SPRINGS TOWNSHIP NORTH CAROLINA

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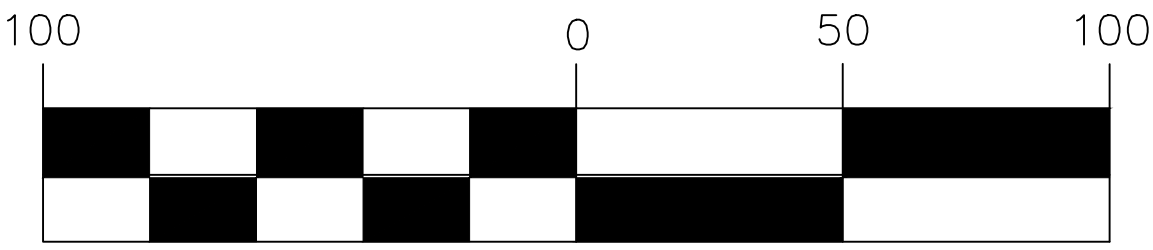
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TOTAL SITE = 10.09 AC
EXIST IMPERVIOUS = <0.2 AC
PROP IMPERVIOUS = 5.3 AC
52.5% PROP. IMPERVIOUS

GRAPHIC SCALE



(IN FEET)

1 inch = 100 ft.

JUNIPER LAKE RD
(60' ROW)

371 TOTAL PARKING
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PREPARED BY:
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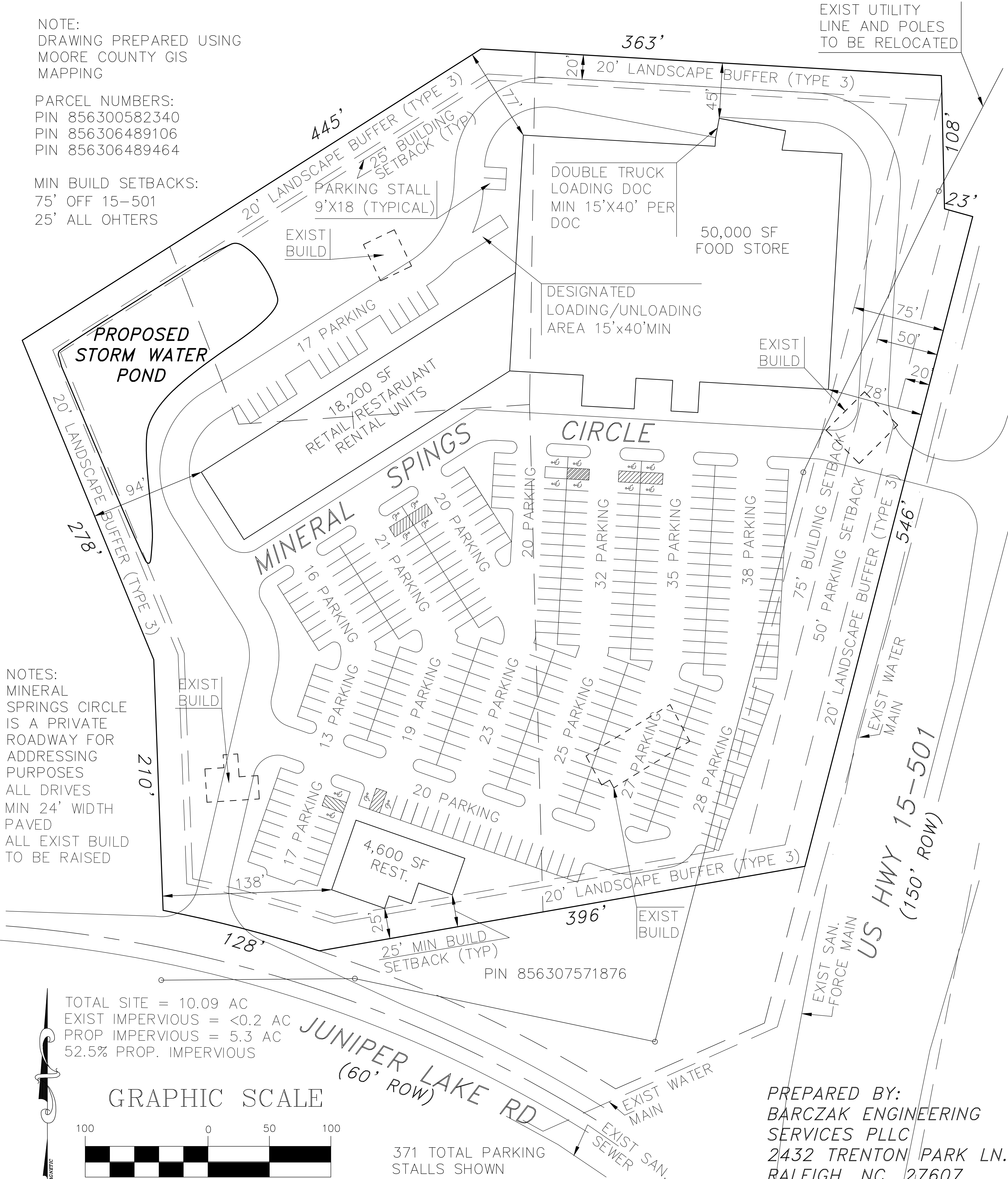
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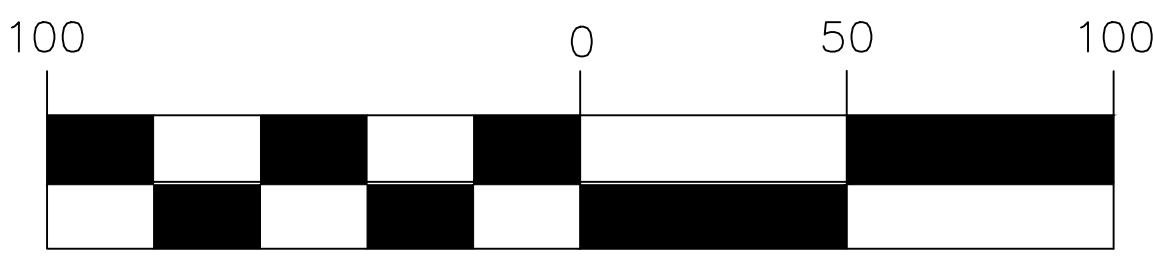
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PAVED
ALL EXIST BUILD
TO BE RAISED

TOTAL SITE = 10.09 AC
EXIST IMPERVIOUS = <0.2 AC
PROP IMPERVIOUS = 5.3 AC
52.5% PROP. IMPERVIOUS

GRAPHIC SCALE



(IN FEET)

1 inch = 100 ft.

JUNIPER LAKE RD
(60' ROW)

371 TOTAL PARKING
STALLS SHOWN

PREPARED BY:
BARCZAK ENGINEERING
SERVICES PLLC
2432 TRENTON PARK LN.
RALEIGH, NC. 27607
ph 414-429-4865

Juniper Lake Rd - B2-CZ - Shopping Center
Community Meeting
21-Mar-19

NAME	Address
JOHN BARCZAK	2432 TRENTON PARK LN RALEIGH
CASEY NAGEL	1501 PINEVIEW ST RALEIGH
John O'Malley	40 Beckett Ridge Pinehurst
Sherry J. Klear	7028 Beulah Hill CH Rd West End
Anna Smith	10. Puck
Crystal Carrico	187 Juniper Lake Rd West End
Steve Carrico	"
Shan McOmmer	1580 FoxFire Rd Aberdeen
Paul McDonald	890 Barber Rd. Southern Pines, N.C.
Justin Schaad	408 E Hargett St Raleigh
Joy Stafford	155 Juniper Lake Rd West End
Howard Pierce	2148 SEVEN LAKES S. WEST END
Shirley Oldham	372 Juniper Lk Rd West End
Ann Savage	427 Juniper Lake Rd West End
Robert McKenzie	Pinehurst
Alan Oldham	324 Juniper Lake Rd West End
Sergio Bradford	155 Juniper Lake Rd West End
Matthew Jones / Christ Community Church	3 WATSON CT PINEHURST

Juniper Lake Rd - B2-CZ - Shopping Center
Community Meeting
21-Mar-19

NAME

Address

Carie OQuinn

150 Appdecross Rd., Pinehurst NC 28374

Theresa Thompson

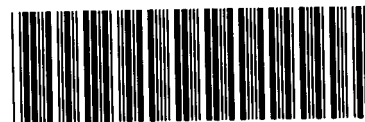
Moore Co. Planning

Debra Treminger

Moore Co. Planning

Bob Thompson

JM



INSTRUMENT # 2016006655

Drafted by: Robert S. Thompson, Attorney at Law
ROBERT S. THOMPSON, P.A.
325 West Pennsylvania Avenue, Suite E
Southern Pines, North Carolina 28387

No Stamps

NORTH CAROLINA

WARRANTY DEED

MOORE COUNTY

THIS DEED, made this 9th day of May, 2016, by **JOHN C. McKENZIE, SR. and wife, CAROLYN M. McKENZIE** of 132 Juniper Lake Road, West End, NC 27376, GRANTOR, to **JOHN C. McKENZIE, JR.** of 132 Juniper Lake Road, West End, NC 27376, GRANTEE;

WITNESSETH:

That said Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has bargained and sold, and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot, tract, or parcel of land situate in Mineral Springs Township, Moore County, North Carolina, and more particularly described as follows:

Located about two hundred and forty yards northwest of the intersection of U.S. Highway 15-501 and SR #1216 and being further described as follows:

BEGINNING at an existing iron pipe, said iron pipe being the Northeast corner of Grantor's 4.6 acre tract, the same also being the northwest corner of his 6.1 acre tract, said iron pipe further located as having North Carolina Grid Coordinates of x=1,865,157.55 and y=538,546.03 (from a tie line to NCGS "Beulah", unadjusted measure); running thence from said beginning with the common line of said 4.6 acre tract and said 6.1 acre tract, S. 03° 47' 55" W. for a distance of 320.00 feet to an iron rod situated in said line; thence as a new line, S. 89° 04' 49" W. for a distance of 235.27 feet to an iron rod; thence as a new line, N. 19° 14' 01" W. for a distance of 159.09 feet to an iron rod situated in the northwest line of said 4.6 acre tract; thence with said line, N. 60° 45' 51" E. for a distance 355.86 feet to the Beginning,

containing 1.50 acres, more or less, and being a portion of said 4.6 acre tract according to a survey made by Raynor Land Surveying of Pinehurst, North Carolina, and being more particularly shown as "First Tract" on a map of said survey entitled "Map of survey of the Property of John C. McKenzie" dated August 26, 1986, to which reference is hereby made.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 1460, Page 86, Moore County Registry.


This conveyance is made subject to: (i) the lien of the County of Moore for taxes or other assessments for the current year, which taxes or other assessments shall be pro rated as of the date of closing; and (ii) utility easements and (iii) unviolated restrictive covenants that do not materially affect the value of the property.


TO HAVE AND TO HOLD the aforesaid lot, tract, or parcel of land, and all privileges and appurtenances thereto belonging to the said Grantee in fee simple; subject, however, to the hereinabove stated exceptions, reservations and conditions.

And the Grantor covenants with the Grantee, that Grantor is seized of said premises in fee simple and has the right to convey in fee simple; that the title is marketable and free and clear of all encumbrances; and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever; subject, however, to the exceptions, reservations and conditions hereinabove referred to.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers, the day and year first above written.

 (SEAL)
JOHN C. McKENZIE

 (SEAL)
CAROLYN M. McKENZIE

**MOORE COUNTY
NORTH CAROLINA**

I certify that the following person(s) personally appeared before me this day and (18th) I have personal knowledge of the identity of the principal(s); (SL) I have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of a driver's license; (SL) a credible witness has sworn to the identity of the principal(s); each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

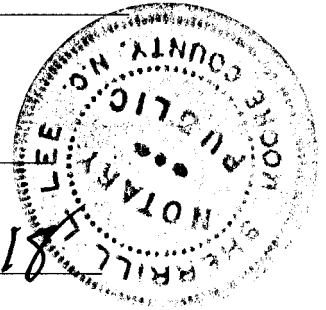
Name of Principal(s): **JOHN C. McKENZIE and CAROLYN M. McKENZIE**

Date: 5-18-16


Notary Public

SHERILL L. BEE
Printed or typed name of Notary Public

My commission expires: 5-29-18



The subject property ☐ includes ☒ does not include the primary residence of a Grantor.

00762 00055

STATE OF
NORTH CAROLINAReal Estate
Excise Tax

38.00

FEB 8 12 13 PM '91

MRS. JUDITH A. MOORE
REGISTERED
MOORE COUNTY, NC.

TAX ADDRESS

RECORDING

STAMP

TOTAL

Excise Tax

677804

Recording Time, Book and Page

Tax Lot No. Parcel Identifier No.
 Verified by County on the day of, 19
 by

Mail after recording to

This instrument was prepared by JOHN B. EVANS, Post Office Box 1651, Pinehurst, NC 28374

Brief description for the Index

4.6 ACRES, NEAR 15-501 BETWEEN
 PINEHURST AND CARTHAGE

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 4TH day of FEBRUARY, 1991, by and between

GRANTOR

GRANTEE

JOHN C. MCKENZIE and wife,
 CAROLYN MCKENZIE
 Route 1, Box 90
 West End, North Carolina 27376

ROBIN DENISE MCKENZIE, A Single Person
 Route 1, Box 174
 West End, North Carolina 27376

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of MINERAL SPRINGS Township, MOORE County, North Carolina and more particularly described as follows:

SEE EXHIBIT A ATTACHED HERETO AND BY REFERENCE INCORPORATED AS IF FULLY
 SET FORTH HEREIN.

Evans

3 0902

The property hereinabove described was acquired by Grantor by instrument recorded in

A map showing the above described property is recorded in Plat Book page.....

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated. Title to the property hereinabove described is subject to the following exceptions:

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

.....
(Corporate Name)

By:

..... President

ATTEST:

..... Secretary (Corporate Seal)

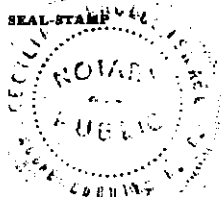
USE BLACK INK ONLY

X *John C. McKenzie* (SEAL)
JOHN C. MCKENZIE

X *Carolyn McKenzie* (SEAL)
CAROLYN MCKENZIE

..... (SEAL)

..... (SEAL)



NORTH CAROLINA, MOORE County.

I, a Notary Public of the County and State aforesaid, certify that
JOHN C. MCKENZIE and his wife, CAROLYN MCKENZIE, Grantor,

personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 4TH day of FEBRUARY, 1971.

My commission expires: 9/8/95 Notary Public

SEAL-STAMP

NORTH CAROLINA, County.

I, a Notary Public of the County and State aforesaid, certify that
personally came before me this day and acknowledged that he is Secretary of

..... a North Carolina corporation, and that by authority duly

given and as the act of the corporation, the foregoing instrument was signed in its name by its Secretary.

President, sealed with its corporate seal and attested by as its Secretary.

Witness my hand and official stamp or seal, this day of, 19.....

My commission expires: Notary Public

North Carolina--Moore County

The foregoing Certificate(s) of Cecilia Scholl Israel, Notary Public

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

..... Judith M. Adams REGISTER OF DEEDS FOR Moore COUNTY

By *Judy D. Martin* Deputy/Assistant - Register of Deeds

THAT CERTAIN TRACT OR PARCEL OF LAND in Mineral Springs Township, Moore County, North Carolina located about 200 feet west of U.S. Hwy. 15-501 between Pinehurst and Carthage, and being more particularly described as follows:

BEGINNING at an iron stake in the southwestern most corner of McKenzie's 6.1-acre home tract as described in Deed of Trust recorded in Deed of Trust Book 352, Page 20, Moore County Public Registry, and running thence from said beginning point S 83 deg. 00' W 283.8 feet crossing State Road 1216 to an iron stake in the southern side of State Road 1216; thence S 54 deg. 01' W 35.4 feet to an iron stake; thence N 01 deg. 00' W 360.7 feet to an iron stake; thence N 19 deg. 18' W approximately 435.00 feet to an iron stake, a corner of McKenzie's original 12-acre tract; thence N 60 deg. 00' E 432.1 feet to an iron stake; thence N 03 deg. 40' E 513.1 feet to an iron stake; thence 07 deg. 00' W 200.0 feet to the point and place of BEGINNING, containing 6.0 acres, more or less, and being a portion of the McKenzie original 12-acre tract as recorded in Deed Book 266, Page 237, Moore County Public Registry.

EXCEPTED, HOWEVER, from this conveyance is the following described property: BEGINNING at an existing iron pipe, said iron pipe being the northeast corner of Grantor's 4.6-acre tract, the same also being the northwest corner of his 6.1-acre tract, said iron pipe further located as having North Carolina Grid Coordinates of $x = 1,865,157.55$ and $y = 538,546.03$ (from a tie line to NCGS "Beulah", unadjusted measure); running thence from said beginning with the common line of said 4.6-acre tract and said 6.1-acre tract, S. 03 deg. 47'55" W. for a distance of 320.00 feet to an iron rod situated in said line; thence as a new line, S. 89 deg. 04'49" W. for a distance of 235.27 feet to an iron rod; thence as a new line, N. 19 deg. 14'01" W. for a distance of 159.09 feet to an iron rod situated in the northwest line of said 4.6-acre tract; thence with said line, N. 60 deg. 45'51" E. for a distance of 355.86 feet to the BEGINNING, containing 1.50 acres, more or less, and being a portion of said 4.6-acre tract according to a survey made by Raynor Land Surveying, of Pinehurst, North Carolina, and being more particularly shown as "First Tract" on a map of said survey entitled "Map of a survey of the Property of John C. McKenzie dated August 26, 1986, to which reference is hereby made.

TOGETHER with an easement for ingress and egress from U.S. 15-501, said easement being located S 00 deg. 27' 00" W 150.00 feet from an existing iron pipe in the northeast corner of John C. McKenzie's 6.1-acre tract, and running thence N 86 deg. 30' 59" W 359.40 feet, more or less, to the western boundary of John C. McKenzie's 6.1-acre tract, and being common with the eastern boundary of the property herein being excepted. Said easement shall be 10 feet wide, the ten feet extending south of the above described line.

STATE OF NORTH CAROLINA

File No.

18 E 70

MOORE County

In The General Court Of Justice
Superior Court Division
Before The Clerk

IN THE MATTER OF THE ESTATE OF

Name Of Decedent

JOHN CHARLES MCKENZIE

Date Of Death

11/10/2017

APPLICATION AND ASSIGNMENT YEAR'S ALLOWANCE

G.S. 30-15, 30-17, 30-21

I am applying for an allowance for a year's support for the person(s) named and state:

1. The decedent died a resident of this county on the date shown above.
2. The surviving spouse, if any, named below is entitled to an allowance from the personal property of the decedent of the value of thirty thousand dollars (\$30,000), for a year's support if the surviving spouse has not forfeited that right. The child(ren), if any, named below is/are entitled to an allowance of five thousand dollars (\$5,000) for a year's support.
3. I request assignment of
 - ☒ Thirty thousand dollars (\$30,000) from the funds or other personal property of the decedent for a year's support to the surviving spouse.
 - ☐ Five thousand dollars (\$5,000) from the funds or other personal property of the decedent for a year's support to each child named below.

SPOUSE AND CHILD(REN) ENTITLED TO ALLOWANCE

Full Name	Age	Relationship	Complete Address (Including zip code)
CAROLYN MOON MCKENZIE	21	Spouse	132 JUNIPER LAKE ROAD WEST END, NC 27376
		Child	
		Child	
		Child	
		Child	
		Child	
		Child	
		Child	
		Child	

Name And Address Of Applicant (type or print)

CAROLYN MOON MCKENZIE
132 JUNIPER LAKE ROAD WEST END, NC 27376

Telephone No. Of Applicant

910-295-6345

SWORN/AFFIRMED AND SUBSCRIBED TO BEFORE ME

Date

01/23/2018

Date

01/23/2018

Signature Of Person Authorized To Administer Oaths

Cindy Morris

Signature Of Applicant

Carolyn Moon McKenzie

☒ Deputy CSC

☐ Assistant CSC

☐ CSC

☐ Magistrate

☐ Notary

Date Commission Expires

County Where Notarized

SEAL

☒ Spouse Of Decedent

☐ Child/Full-Time Student

☐ Personal Representative

☐ Next Friend Of Child

☐ Guardian

☐ Other:

Original-File Copy-Applicant
(Over)

Doc 27-8.80

NORTH CAROLINA, Moore COUNTY BOOK 266 PAGE 237

THIS DEED, made this 7th day of October, A. D. 1963
by THOMAS W. McKENZIE, AND WIFE MARY P. McKENZIE



of Moore County and State of North Carolina

of the first part, to JOHN CHARLES McKENZIE, AND WIFE CAROLYN MOON McKENZIE

of Moore County and State of North Carolina

of the second part:

WITNESSETH, That said

in consideration of

TEN DOLLARS AND OTHER VALUABLE CONSIDERATIONS \$XXXX Dollars

to them paid by parties of the second part

the receipt of which is hereby acknowledged have bargained and sold, and by these presents

do grant, bargain, sell and convey to said parties of the second part, their

heirs and assigns, a certain tract or parcel of land in Mineral Springs Township

Moore County, State of North Carolina, adjoining

the lands of

and others, and bounded as follows. viz:

Being Lot No. One (1) allotted to Thomas W. McKenzie in the division of the Hugh McKenzie lands in special proceeding No. 5719 entitled: "Warren C. McKenzie, and wife, Thomas C. McKenzie and wife, James W. McKenzie, (Minor) and W. Clement Barrett, Next Friend of James W. McKenzie, Minor," which said special proceeding is on file in the Office of the Clerk of Superior Court of Moore County, North Carolina and more particularly described as follows:

McKenzie

Lot No. 1: ~~XXXXXX~~ Said Lot No. one (1), being bounded and described as follows, viz: Beginning at a stake, Joel Ritters corner, running thence South 10 chains to a stake, East side of the head of a small branch; thence South 59 West 11.07 chains to a stake in the West edge of the Old Carthage-Pinehurst Sand Clay Road; thence South 21 degrees 30 minutes East 4.35 chains to a stake in the East edge of the road, a corner of a three (3) acres tract included in this survey; thence South 3.95 chains; thence North 59 East 56 Links; thence as a line of it North 83 East 12.65 chains to a concrete by the Highway; thence North 35 West 5 chains to a Brown-stone by the graded road; thence North $\frac{1}{2}$ East 19.69 chains to a stake in the swamp; thence South 56 West 3.68 chains to the beginning, containing 16 acres, more or less.

EXCEPTING, HOWEVER, from the above described tract or parcel of land, the two tracts hereinafter described:



FIRST PARCEL: That certain tract or parcel of land containing 3.34 acres, more or less, conveyed by T. W. McKenzie and wife Mary P. McKenzie to Henry Dowd by deed dated March 14, 1953 and recorded in deed book 197 at page 87, Moore County Registry.

SECOND PARCEL: That certain tract or parcel of land containing 0.8 of an acre, more or less, and conveyed by T. W. McKenzie and wife Mary P. McKenzie to James E. Short, et ux, by deed dated the ____ day of July, 1955 and recorded in Deed Book 213 at page 83, Moore County Registry.

BUT THIS CONVEYANCE is made subject, however, to the following easements and right-of-way agreements as follows: (1) Easement from Thomas W. McKenzie to Central Carolina Telephone Company recorded in Deed Book 168 at page 20, Moore County Registry; (2) Right-of-way agreement from Thomas W. McKenzie and wife, Mary S. McKenzie to the State Highway and Public Works Commission dated December 9, 1954 and recorded in Deed Book 193 at page 389, Moore County Registry; and (3) Right-of-way agreement from Thomas W. McKenzie and wife Mary P. McKenzie to the State Highway Commission dated June 9, 1960 and recorded in Deed Book 243 at page 292 Moore County Registry.

The above described Lot No. One (1) being more particularly shown on that certain map or plat entitled: "Division of the land of Hugh McKenzie, deceased" made by W. N. McLauchin, Suveyor, dated May 1, 1947 and attached to the report of commissioners in Special Proceeding No. 5719 to which reference is had for a more complete description of said Lot No. One (1) and further being, a portion of a 60 1/2 acre tract allotted to Hugh McKenzie in Special Proceeding 2012, Office of the Clerk of Superior Court Moore County, North Carolina; and a two and 85/100 ac. tract deeded by Pinehurst, Inc. to Hugh McKenzie by deed recorded in Book 113 at page 164.

The above described lands were conveyed to grantors by.....

See Book....., Page.....

TO HAVE AND TO HOLD the aforesaid tract or parcel of land, and all privileges and appurtenances thereto belonging, to the said.....Parties of the Second Part.....
their.....heirs and assigns,
to their.....only use and behoof forever.

And the said.....Parties of the First Part.....
....., for.....themselves.....and.....their
heirs, executors and administrators, covenant.....with said.....Parties of the Second Part
their.....heirs and assigns, that
they are seized of said premises in fee and have.....the.....right to convey in fee simple;
that the same are free and clear from all encumbrances, and that.....they do.....hereby
forever warrant and will forever defend the said title to the same against the claims of all persons
whomsoever.....

IN TESTIMONY WHEREOF, the said.....Party of the First Part.....

have.....hereunto set.....the hands.....and seals....., the day and year first above written.

Thomas W. McKenzie (SEAL)
Thomas W. McKenzie
Mary P. McKenzie (SEAL)
Mary P. McKenzie

ATTEST:.....(SEAL)
.....(SEAL)

STATE OF NORTH CAROLINA County.

I, Clerk of the Superior Court, hereby certify that
 and
 his wife, personally appeared before me this day and acknowledged the due execution of the
 annexed Deed of Conveyance. Let the instrument, with this certificate, be registered.

Witness my hand and official seal, this day of, A. D. 19

.....
 Clerk Superior Court.

STATE OF NORTH CAROLINA Moore County.

I, E. EARL HUBBARD, Notary Public, do hereby certify that
Thomas W. McKenzie and wife, Mary P. McKenzie
~~his wife~~, personally appeared before me this day and acknowledged the due execution of the
 annexed Deed of Conveyance.

Witness my hand and notarial seal, this 8 day of October, A. D. 19 63

My commission expires 7-21-65

STATE OF NORTH CAROLINA Moore County.

The foregoing certificate of E. Earl Hubbard
 a Notary Public of Moore County, State of North Carolina, is
 adjudged to be correct. Let the instrument, with the certificates, be registered.

Witness my hand and official seal, this 9 day of October, A. D. 19 63

Deputy
 Clerk Superior Court.

WARRANTY DEED

THOMAS W. MCKENZIE, AND WIFE

MARY P. MCKENZIE
 TO

JOHN CHARLES MCKENZIE, AND WIFE

CAROLYN MOON MCKENZIE

Consideration \$ 10.00

Dated 7th day of October, 1963

Filed for registration on the 9th
 day of Oct, 1963

at 11 o'clock AM, and regis-
 tered in the office of the Register of Deeds
 for Moore

County, N. C., this 10 day of
October, 1963, at
4:00 o'clock PM, in Book 266
 of Deeds, on page 237, and verified.

Ordway M. Caspell
 Register of Deeds

This instrument drafted by

Boyet & Brogden
 BOYETTE & BROGDEN
 Attorneys at Law
 Carrage, N. C.

**MOORE COUNTY
OFFICE OF REGISTER OF DEEDS**

NORTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES
N.C. VITAL RECORDS
CERTIFICATE OF DEATH

1274
ORIGINAL

REGISTRATION DISTRICT NO. <u>063-661</u>		LOCAL NO.		COUNTY OF DEATH <u>MOORE</u>		STATE FILE NO.	
DECEASED'S LEGAL NAME							
1a. FIRST		1b. MIDDLE		1c. LAST		1d. SUFFIX	
<u>JOHN</u>		<u>CHARLES</u>		<u>MCKENZIE</u>			
2. SEX <u>M</u> 3a. AGE LAST BIRTHDAY (Yrs) <u>81</u> 3b. UNDER 1 YEAR 3c. UNDER 1 DAY 4. DATE OF BIRTH (Month/Day/Year) <u>6/10/1936</u> 5. BIRTHPLACE (County/State or Foreign Country) <u>Moore Co., NC</u> 6. DATE OF DEATH (Month/Day/Year) <u>11/10/2017</u>							
PLACE OF DEATH (Check only one) 7a. IF DEATH OCCURRED IN A HOSPITAL <input type="checkbox"/> Inpatient <input type="checkbox"/> ER/Outpatient <input type="checkbox"/> DOA <input type="checkbox"/> Hospice facility <input type="checkbox"/> Nursing home/Long term care facility <input type="checkbox"/> Decedent's home <input type="checkbox"/> Other (Specify) <u>First Health of the Carolinas</u> 7b. CITY OR TOWN <u>PINEHURST</u> 7c. COUNTY OF DEATH <u>MOORE</u>							
8. MARITAL STATUS <input checked="" type="checkbox"/> Married <input type="checkbox"/> Married, but separated <input type="checkbox"/> Widowed <input type="checkbox"/> Divorced <input type="checkbox"/> Never married 9. SURVIVING SPOUSE (Give name prior to first marriage) <u>Carolyn Moon</u> 10a. DECEDENT'S USUAL OCCUPATION (Do not use retired) <u>Manager</u> 10b. KIND OF BUSINESS/INDUSTRY <u>Banking</u>							
11. SOCIAL SECURITY NUMBER <u>246-50-1328</u>		12a. RESIDENCE-STATE OR FOREIGN COUNTRY <u>North Carolina</u>		12b. COUNTY <u>Moore</u>		12c. CITY OR TOWN <u>West End</u>	
12d. STREET AND NUMBER <u>132 Juniper Lake Road</u>		12e. INSIDE CITY LIMITS <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		12f. ZIP CODE <u>27376</u>		13. WAS DECEDENT EVER IN U.S. ARMED FORCES? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
14. DECEDENT'S EDUCATION (Check the box that best describes the highest degree or level of school completed at the time of death) <input type="checkbox"/> 8th grade or less <input type="checkbox"/> 9th-12th grade, no diploma <input type="checkbox"/> High school graduate or GED completed <input type="checkbox"/> Some college credit, but no degree <input type="checkbox"/> Associate degree (e.g., AA, AS) <input type="checkbox"/> Bachelor's degree (e.g., BA, AB, BS) <input type="checkbox"/> Master's degree (e.g., MA, MS, MENG, MED, MSW, MBA) <input type="checkbox"/> Doctorate (e.g., PhD, EdD) or Professional degree (e.g., MD, DDS, DVM, LLB, JD)				15. DECEDENT OF HISPANIC ORIGIN? (Check the box that best describes whether the decedent is Spanish/Hispanic/Latino. Check the "No" box if decedent is not Spanish/Hispanic/Latino) <input checked="" type="checkbox"/> No, not Spanish/Hispanic/Latino <input type="checkbox"/> Yes, Mexican, Mexican American, Chicano <input type="checkbox"/> Yes, Puerto Rican <input type="checkbox"/> Yes, Cuban <input type="checkbox"/> Yes, other Spanish/Hispanic/Latino (Specify)			
16. DECEDENT'S RACE (Check one or more races to indicate what the decedent considered himself or herself to be) <input checked="" type="checkbox"/> White <input type="checkbox"/> Black or African American <input type="checkbox"/> American Indian or Alaska Native (Name of the enrolled or principal tribe) <input type="checkbox"/> Asian Indian <input type="checkbox"/> Japanese <input type="checkbox"/> Chinese <input type="checkbox"/> Korean <input type="checkbox"/> Filipino <input type="checkbox"/> Vietnamese <input type="checkbox"/> Other (Specify)				17. DECEDENT'S RACE (Check one or more races to indicate what the decedent considered himself or herself to be) <input checked="" type="checkbox"/> White <input type="checkbox"/> Black or African American <input type="checkbox"/> American Indian or Alaska Native (Name of the enrolled or principal tribe) <input type="checkbox"/> Asian Indian <input type="checkbox"/> Japanese <input type="checkbox"/> Chinese <input type="checkbox"/> Korean <input type="checkbox"/> Filipino <input type="checkbox"/> Vietnamese <input type="checkbox"/> Other (Specify)			
17. FATHER'S NAME (First, Middle, Last) <u>Charles E. McKenzie</u>				18. MOTHER'S NAME (First, Middle, Last) <u>Esther Louise Richardson</u>			
19a. INFORMANT'S NAME <u>Carolyn McKenzie</u>				19b. RELATIONSHIP TO DECEDENT <u>wife</u>			
20a. METHOD OF DISPOSITION <input checked="" type="checkbox"/> Burial <input type="checkbox"/> Cremation <input type="checkbox"/> Donation <input type="checkbox"/> Entombment <input type="checkbox"/> Removal from State <input type="checkbox"/> Other (Specify)				20b. PLACE OF DISPOSITION (Name of cemetery, crematory, other place) <u>Culdee Presbyterian Church Cemetery</u> <u>West End, NC</u>			
21a. SIGNATURE OF FUNERAL DIRECTOR <u>[Signature]</u>				21b. LICENSE NUMBER <u>FSL-3193</u>			
22. NAME AND ADDRESS OF FUNERAL HOME <u>Boles Funeral Homes & Crematory, Inc., 35 Parker Lane PO Box 3964, Pinehurst, NC 28374</u>				23. Part I. Enter the chain of events (diseases, injuries or complications) that directly caused the death. DO NOT enter terminal events such as cardiac arrest, respiratory arrest, or ventricular fibrillation without showing the etiology on lines b, c and/or d. Enter only one cause on a line. DO NOT ABBREVIATE.			
IMMEDIATE CAUSE (Final disease or condition resulting in death) <u>CARDIO-PULMONARY ARREST</u>				Due to (or as a consequence of)			
Due to (or as a consequence of) <u>CARDIOGENIC SHOCK</u>				Due to (or as a consequence of)			
Due to (or as a consequence of) <u>ACUTE ANTERIOR MYOCARDIAL INFARCTION</u>				Due to (or as a consequence of)			
Due to (or as a consequence of) <u>ATHEROSCLEROTIC CORONARY ARTERY DISEASE</u>				Due to (or as a consequence of)			
PART II. Check all terminal conditions contributing to death but not resulting in the underlying cause given in PART I.				24a. WAS AN AUTOPSY PERFORMED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
25. MANNER OF DEATH <input checked="" type="checkbox"/> Natural <input type="checkbox"/> Homicide <input type="checkbox"/> Accident <input type="checkbox"/> Pending <input type="checkbox"/> Suicide <input type="checkbox"/> Cannot be determined				26a. WAS CASE REFERRED TO MEDICAL EXAMINER? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
26b. IF YES <input type="checkbox"/> Declined by Medical Examiner				27. TIME OF DEATH (Approximate) <u>1:54am</u>			
28. DID TOBACCO USE CONTRIBUTE TO DEATH? <input type="checkbox"/> Yes <input type="checkbox"/> Probably <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown				29. IF FEMALE: <input type="checkbox"/> Pregnant at time of death <input type="checkbox"/> Not pregnant within past year <input type="checkbox"/> Not pregnant, but pregnant within 42 days of death <input type="checkbox"/> Not pregnant, but pregnant 43 days to 1 year before death <input type="checkbox"/> Unknown if pregnant within the past year			
30. DATE PRONOUNCED (Month/Day/Year)		31a. DATE OF INJURY (Month/Day/Year)		31b. TIME OF INJURY		31c. INJURY AT WORK? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
31d. PLACE OF INJURY-at home, farm, street, factory, office, building, etc.		31e. LOCATION OF INJURY (Street/Number/City/State)		31f. IF TRANSPORTATION INJURY SPECIFY: <input type="checkbox"/> Driver/operator <input type="checkbox"/> Passenger <input type="checkbox"/> Pedestrian <input type="checkbox"/> Other (Specify)		31g. DESCRIBE HOW INJURY OCCURRED	
32. CERTIFIER (Check only one) <input checked="" type="checkbox"/> Certifying physician/nurse practitioner/physician assistant - To the best of my knowledge, death occurred at the time, date, and place, and due to the cause(s) and manner stated. <input type="checkbox"/> Medical Examiner - On the basis of examination, and/or investigation, in my opinion death occurred at the time, date, and place, and due to the cause(s) and manner stated.							
33a. SIGNATURE AND TITLE OF CERTIFIER <u>Peter L. Duffey, Regional Civil, Pinehurst NC</u>				33b. LICENSE NUMBER <u>9501230</u>			
34. NAME AND ADDRESS OF CERTIFIER (Print legibly) <u>Robert R. Witterman, 1536</u>				35. DATE FILED (Month/Day/Year) <u>11/14/2017</u>			
36. DATE REGISTERED BY STATE				37. DATE CORRECTED (Month/Day/Year)			
DATE AMENDED (Month/Day/Year)				ITEM(S) CORRECTED:			
				ITEM(S) AMENDED:			

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This is to certify that this is a true and correct reproduction or abstract of the official record filed in this office.

063-316446

Witness my hand and official seal

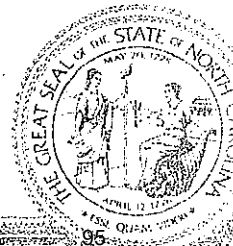
this the 14 day of November 2017

DHHS 391-4 (REVISED 8/15) NC VITAL RECORDS

Any alteration or erasure voids this certificate. Do not accept unless on security paper with Register of Deeds seal clearly embossed in left corner.

Judy D. Martin
Register of Deeds
Moore County

By: [Signature]
Deputy Assistant Register of Deeds



MEMORANDUM TO THE PLANNING BOARD

FROM: Debra Enslinger
Planning and Transportation Director

DATE: March 4, 2019

SUBJECT: Unified Development Ordinance Text Amendment –
Equestrian Cottage

PRESENTER: Theresa Thompson

REQUEST

Lori Beale is requesting the below text amendments to the Moore County Unified Development Ordinance:

Bold Text – additions to the ordinance

~~Strikethrough Text~~ - deletions from the ordinance

1. AMEND Chapter 6 (Table of Uses), Section 6.1 (Use Table), as follows:

COMMERCIAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
OFFICES & GENERAL SERVICES																
Equestrian Cottage							P									

2. ADD Chapter 8 (Special Use Standards), Section 8.28 (Equestrian Cottage), as follows:

8.28 Equestrian Cottage

- A. Definition. Equestrian cottages provide accommodations for visitors, with equestrian needs, to the “Horse Country” of Moore County.
- B. Standards. Accommodations are offered for the cottage for a period of less than 30 days per 60 day period for compensation. Cottages shall not include manufactured homes. There shall be no more than 2 cottages per property with the exception of a 3rd unit if the property is comprised of at least 11 acres of land. The equestrian cottage shall be located a minimum 50 feet from all property lines. The cottages shall be screened with a Type 3 vegetation from all property lines. The permanent residence of the owner or the

manager of the business may also be located on the property but shall be counted as 1 of the total units permitted. Facilities related to the horse industry such as horse pastures, trails, run in sheds, and stables may be permitted as accessory uses.

CONSISTENCY WITH THE ADOPTED 2013 LAND USE PLAN

The Planning Board Consistency Statement which speaks to Land Use Plan goals is included for the Board's review and consideration.

RECOMMENDATION

Staff recommends the Moore County Planning Board make two separate motions:

Motion #1: Make a motion to adopt the attached Moore County Planning Board Land Use Plan Consistency Statement (Approval) and authorize the Chairman to execute the document as required by North Carolina General Statute 153A-341.

Motion #2: Make a motion to recommend approval to the Moore County Board of Commissioners of the proposed text amendment to the Moore County Unified Development Ordinance.

ATTACHMENTS

- Text Amendment Application
- RLUAC (Regional Land Use Advisory Commission) Review Letter
- Planning Board Consistency Statement – Approval

County of Moore
Planning and Transportation



Inspections/Permitting: (910) 947-2221

Planning: (910) 947-5010

Transportation: (910) 947-3389

TEXT AMENDMENT APPLICATION

Application Date: March 5, 2019

Applicant: Lori Beale

Phone: 919-869-7534

Applicant Address: 71 Bell Flower Ct.

City: Chapel Hill

St: NC

Zip: 27516

Please describe the proposed changes below (attached additional sheets if needed):

I am requesting a change to the UDO to include the use of detached rooms from the owner occupied dwelling. A total of no more than 8 guests will be allowed during a given period. Each detached room will consist of a private bedroom, bath or shower, laundry and kitchenette.

- see page 2 -

I (We), the undersigned, certify that all statements furnished in this application are true to the best of my (our) knowledge, and do hereby agree to follow all reasonable requests for information as designated by the County of Moore Zoning Administrator.



Applicant/Owner Signature

3.5.19

Date

Applicant/Owner Signature

Date

Office Use Only:

PAR ID: _____

Received By

Date

Page 2

Lori Beale

March 5, 2019

The idea is to provide patrons of the Walther Mass Foundation an option to extend their stay beyond a one-day outing and encourage economic growth to surrounding communities. This specific property is located at 3222 Lakebay Road in Vass. This property has direct access to the Foundation and would also be able to accommodate their equestrian needs.

This specific property is zoned RE. I'm asking for a text change to allow equestrian cottages because of its immediate proximity to the Walther Mass Foundation.



MOORE COUNTY
Proposed Text Amendments to the Unified Development Ordinance
For Equestrian Cottages – Chapter 6, Section 6.1 & Chapter 8, Section 8.28;
March 14, 2019

The Regional Land Use Advisory Commission (RLUAC) staff and Board of Directors have reviewed the proposed text amendments (listed above) for the Moore County Unified Development Ordinance and find no conflicts with the recommendations contained in the recently completed and adopted 2018 Fort Bragg Joint Land Use Study.

Thank you for allowing RLUAC the opportunity to review these proposed changes.

John K. McNeill, Chairman

James Dougherty, Executive Director

Moore County Planning Board
Land Use Plan Consistency Statement
Text Amendment - Unified Development Ordinance

The Moore County Planning Board finds that:

1. The text amendment request is consistent with the following goals in the 2013 Moore County Land Use Plan:

Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around municipalities):

- Recommendation 1.7: Support and promote local businesses.

Goal 4: Provide Information and Seek Citizen Participation:

- Action 4.1.1: Continue to support and implement easy to understand guidelines to incorporate throughout governmental departments.

2. The text amendment is consistent with the Goals listed above due to the compatibility of land use goals supporting local businesses and providing them with a transparent permitting process.

3. The text amendment is reasonable and in the public interest because the ordinance has been updated to meet current statutory requirements and be more user-friendly for use by the general public and development community..

Therefore, the Moore County Planning Board recommends **APPROVAL** of the text amendments to the Unified Development Ordinance, as proposed.

Eddie Nobles, Chair
Moore County Planning Board

Date

MEMORANDUM TO THE PLANNING BOARD

FROM: Debra Ensminger
Planning and Transportation Director

DATE: March 4, 2019

SUBJECT: Unified Development Ordinance Text Amendments

PRESENTER: Theresa Thompson

REQUEST

Moore County Planning Staff is requesting the below text amendments to the Moore County Unified Development Ordinance:

Bold Text – additions to the ordinance

~~Strikethrough Text~~ - deletions from the ordinance

1. AMEND Chapter 2 (Review Bodies and Administrator), Section 2.2 (Planning Board), Subsection A (Powers and Duties) as follows:
 - A. Powers and Duties. The Planning Board shall have all the powers and authority pursuant to NCGS 153A-321 and 153A-322 and shall perform any related duties as directed by the Board of Commissioners. The Planning Board shall make recommendations of the following requests:
 1. Amendments to the UDO text and the Zoning Map;
 2. Conditional Rezoning;
 3. ~~Public Road Closures; and~~
 4. Amendments to the comprehensive land use plans for Moore County.

REASON. To be consistent with the current process.

2. AMEND Chapter 3 (Intent of Zoning Districts), Section 3.16 (Highway Corridor Overlay District), as follows:

3.16 Highway Corridor Overlay District

In order to protect the rural character and natural environment of the area and to provide attractive highway corridors and gateways to our communities, Highway Corridor Overlay districts are created. The Highway Corridor Overlay District (HCOD) is intended to maintain or enhances the natural scenic beauty of designated corridors viewed by travelers. **Highway**

Quarterly UDO Text Amendments – Staff Report

Corridor Overlay Districts are established as districts which overlay the zoning in every district along either side of US 1 Highway (from Southern Pines ETJ north to Cameron's ETJ and south from Pinebluff's ETJ to the Richmond County line), US 15/501 Highway between Pinehurst and Carthage, from Aberdeen to the Hoke County line, and from Carthage to the Lee County line, NC 22 Highway from US 15-501 intersection at Carthage to Southern Pines, and NC 211 Highway from Pinehurst to Montgomery County line (not including the Seven Lakes Business District). The HCOD's do not include any municipal zoning jurisdictions. Three HCOD districts have been established. Wherever standards of the underlying zoning district differ from the watershed overlay standards, the more restrictive provisions shall apply.

REASON. Adding purpose of the HCOD and description of location.

3. AMEND Chapter 4 (Zoning Permits), Section 4.1 (Zoning Permit Applicability), as follows:

4.1 Zoning Permit Applicability

No land shall be used or occupied and no building, structure, or sign shall be erected, moved, enlarged, used, or structurally altered or its use changed, until a zoning permit, ~~signed by the property owner,~~ is issued by the Administrator.

REASON. The applicant is not required to be the property owner.

4. AMEND Chapter 4 (Zoning Permits), Section 4.2 (Application), Subsection C (Site Plan Requirements), as follows:

C. Site Plan Requirements. Each application for a zoning permit and any other permit as indicated in this ordinance shall be accompanied by a site plan, drawn to scale, including the following information, as ~~applicable,~~ **determined applicable or relevant by the Administrator.**

1. Dimension of property (front, side, and rear property lines)
2. Dimensions and locations of any existing or proposed buildings and signs
3. Existing and proposed uses of building(s) and/or land
4. Non-residential floor plans
5. Existing and proposed street right-of-ways and/or easements
6. Current and /or proposed setbacks from property lines, easements, and ROWs
7. Dimensions and locations of driveway, parking lots, and parking spaces
8. Dimensions and location of loading and unloading areas
9. Existing and proposed utilities
10. Non-residential screening plan
11. Significant natural features including floodplain, wetlands, lakes, streams, etc. **The applicant is responsible for the accuracy of significant features shown on the site plan. The Administrator may require Army Corp of Engineer approval before a zoning permit is issued depending on the location of the wetlands.**
12. Existing and proposed impervious surface percentages

13. Location of any stormwater control devices ~~any stormwater control plans, and the name of the certifying engineer.~~ **The applicant is responsible for the accuracy of the stormwater controls shown on the site plan.**
14. Phasing plans
15. Any other information which the Administrator deems necessary as required per local, state, or federal law.

REASON. The Administrator may determine that not all checklist items are relevant.

5. AMEND Chapter 5 (Dimensional Standards), Section 5.1 (Table of Area and Setbacks), as follows:

5.1 Table of Area and Setbacks

Reference: NCGS 153A-326 and 160A-306. (Additional setback standards: fences & walls (Section 7.7), Highway Corridor Overlay District (Section 7.8), signs (Section 7.16), ~~setback encroachments such as porches (Section 7.15)~~, and Administrative Variances for non-conforming lots (Section 9.7).

REASON. Remove language to correspond with the removal of Section 7.15 to be consistent with the Fire Code.

6. AMEND Chapter 6 (Table of Uses), Section 6.1 (Use Table), as follows:

COMMERCIAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
OFFICES & GENERAL SERVICES																
Tourist Home Bed & Breakfast	C	C	C	C				C	C						8.31	R-3

REASON. Bed & breakfast is the common name of the use intended.

7. AMEND Chapter 6 (Table of Uses), Section 6.1 (Use Table), as follows:

RESIDENTIAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
Major Subdivision	C	C						C							18.6-18.11	Mix
OTHER USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group

Major Subdivision – Residential (1)	C	C							C							18.6-18.11	Mix
Major Subdivision – Non-Residential (Business Park)														C	C	18.6-18.11	Mix

REASON. Remove Major Subdivisions from “Residential Uses” and add to “Other Uses” to include non-residential major subdivisions, such as a business park.

8. AMEND Chapter 6 (Table of Uses), Section 6.1 (Use Table), as follows:

RESIDENTIAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
Home Occupation, Level 2			€ Z	€ Z			€ Z		€ Z						8.12	R
Manufactured Home Park									€ Z						8.14	Mix

COMMERCIAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
ANIMAL SERVICES																
Animal Shelter									€ Z					P	8.20	B
Animal Training Facility, Military									€ Z					P	8.21	B
Kennels, Overnight									€ Z			€ Z	€ Z	P	8.22	B
Pet Day Care, Grooming, Obedience Training									€ Z		P	P	P			
Veterinary Clinic							P		€ Z		P	P	P			
RETAIL SERVICES																
Flea Market									€ Z			Z	P			

RECREATIONAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
Assembly Hall						Z			€ Z		Z		Z	P	8.76	A-4, A-5
Recreation, High Impact Outdoor									€ Z		€ Z		P		8.87	
Shooting Range, Indoor									€ Z				P		8.88	A-5
Shooting Range, Outdoor									€ Z				P		8.89	A-5
Zoo, Petting Zoo									€ Z				P		8.90	A-5, U

INDUSTRIAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
UTILITIES / SERVICES																
Contractors Storage Yard and Office									€ Z				P	P	8.94	S-1, U
WASTE RELATED SERVICES																
Mining / Quarry Operation									€ Z					C	8.106	U

REASON. In response to advice given by the Institute of Government, regarding new case law (PHG Asheville, LLC v. City of Asheville), uses that may be difficult to deny due to evidence presented, have been changed to “conditional rezoning” uses which require a legislative decision versus quasi-judicial decision.

9. AMEND Chapter 7 (General Development Standards), Section 7.11 (Non-Residential Screening), Subsection E (Location), as follows:

E. Location. The width of the screening shall be included as part of the required setback **and/or as a boundary buffer outside of the required setback**. Vegetation shall be located outside of the street right-of-way, utility or access easements, and on the exterior side of any fence.

REASON. Provides buffer options for larger tracts of land and clarifies that the vegetative buffer can surround the use within the property setbacks.

10. REMOVE Chapter 7 (General Development Standards), Section 7.15 (Setback Encroachments), as follows:

~~7.15 — Setback Encroachments~~

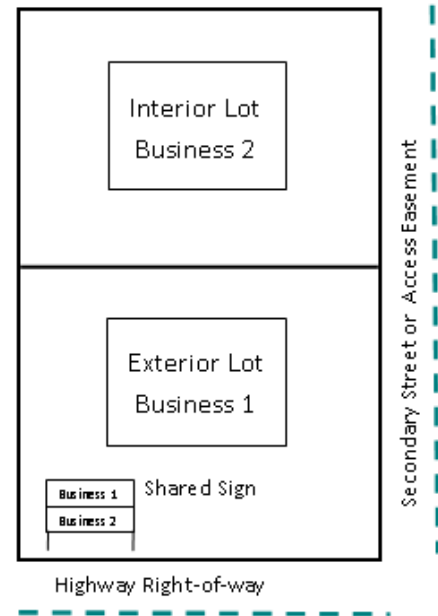
~~Fire escapes, awnings, stairways, steps, ramps, stoops, balconies, decks, uncovered porches, and similar items may not project more than 4 feet into any required setback. Sills, cornices, eaves, gutters, buttresses, ornamental features, and similar items may not project more than 30 inches. Refer to Section 9.7 for setback subsidizations for existing lots of record.~~

REASON. Remove language to correspond with Fire Code standards which requires that the entire building shall not project into the required distance requirements.

11. AMEND Chapter 7 (General Development Standards), Section 7.16 (Signs), Subsection J (Off-Premise Signs), as follows:

J. Off-Premise Signs (excluding Billboards). Off-premise signs (excluding billboards) are permitted in the RA, B-1, B-2, RE, RA-5, RA-2, RA-40, and VB Zoning Districts subject to the following:

1. For premise / lots of 5 acres or more in size and having a street frontage greater than 400 feet, a second sign may be erected if the total display area of both signs does not exceed 32 square feet (second sign shall also not exceed 6 feet in height).
2. No more than 1 off-premise sign per property. One off-premise advertising sign displaying multiple businesses may be used as the allowed sign(s) per premise, as long as the sign does not exceed 15 feet in height, 50 square feet in total display area.
3. No more than 3 off-premise advertising signs, per business, not including billboards, shall not advertise on a premise farther than 4 miles measured in a straight line distance from the sign to the closest parcel boundary on which the business is located.
4. No residential development, business, institution, or industry with frontage on any of the following roadways: US Highway 1, US Highway 15-501, NC Highway 2, NC Highway 5, NC Highway 22, NC Highway 24/27, NC Highway 211 (with the exception of properties zoned VB), NC Highway 690, or NC Highway 705 is eligible to use this type of signage. **One adjacent interior lot may utilize a portion of the sign with the lot fronting the highway. Only one sign per street frontage is permitted.**
5. Signs must be placed on a lot of record and the applicant shall provide a notarized statement from all owners of property allowing the off-premise advertising sign to be erected on their property.
6. Verification from the North Carolina Department of Transportation that the sign will not be in violation of any State regulations at its proposed location must be submitted with the sign permit application.



12. AMEND Chapter 8 (Special Use Standards), Section 8.12 (Home Occupation, Level 2), Subsection B (Standards) as follows:

- B. Standards. 1 home occupation shall be permitted per lot. Level 2 Home Occupations shall be limited to a maximum of 50% of the gross floor area of the principal building, the entirety of an accessory building, or a combination thereof. The operator of the home occupation must reside on the same lot as the operation. More than one individual, not a resident of the dwelling may be employed. The specific use to be operated as the home occupation must comply with the specific uses standards, signage, parking, outdoor storage, screening, and other applicable regulations. The following uses are those that have been determined to be suitable as a Level 2 Home Occupation:

1. Animal Shelters (~~Section 8.20~~)
2. Kennels, Overnight (~~Section 8.22~~)
3. Pet Day Care, Grooming, Obedience Training (~~Section 8.23~~)

4. Small Appliance Repair Shop (may include outdoor storage) (~~Section 8.30~~)
5. Trade Contractor Office and Workshop (may include outdoor storage) (~~Section 8.32~~)
6. Feed and Seed Sales (~~Section 8.35~~)
7. Florist (~~Section 8.36~~)
8. Garden Center (~~Section 8.38~~)
9. Taxi Service (~~Section 8.48~~)
10. Vehicle, Auto Parts, Tires, Farm Equipment, Boat, RV - Sales, Rental, Service (~~Section 8.49~~)
11. Child Care Facility (~~Section 8.62~~)
12. Recreation, Low Impact Outdoor (~~Section 8.85~~)
13. Contractors Storage Yard and Office (~~Section 8.93~~)

REASON. Specific use standard section numbers are removed due to being subject to change. Specific use standard compliance is already mentioned in “Standards.”

13. AMEND Chapter 8 (Special Use Standards), Section 8.31 (Tourist Home), Subsection A (Definition) and B (Standards) as follows:

8.31 ~~Tourist Home~~ Bed and Breakfast

- A. Definition. Any dwelling occupied by the owner or operator in which not more than 8 guest room accommodations are offered for a period of less than 30 days per 60 day period for compensation, and where food may not or may be served ~~such as a bed and breakfast.~~
- C. Standards. The use must be located in a building that was constructed as a single family dwelling which is the permanent residence of the owner or the manager of the business. There shall be no less than 1 bathroom, consisting of a bath or shower, water closet, and lavatory for each 2 guestrooms, **with not more than one (1) guestroom permitted in an detached structure on the same property.** Meals may be provided to overnight guests only and no cooking facilities may be provided in guest rooms. No parking shall be allowed in any front yard. 1 parking space per unit, plus 1 space per employee on a normal shift.

REASON. Clarifies that one guest room may be located in an accessory structure.

14. AMEND Chapter 8 (Special Use Standards), Section 8.70 (Religious Institutions), Subsection B (Accessory Uses) as follows:

- B. Accessory Uses. Includes pastor’s housing, Sunday school buildings, recreational buildings utilized by congregation only, fellowship halls, food pantry, child care facility, school, coffee house, bible school, and after-school facilities. Child care facilities shall meet the **Specific Use Standards** ~~standards per Section 8.63~~ and shall submit a copy of state licenses before a Certificate of Occupancy is issued. Schools located on the same lot as the church and located in residential zoning districts shall require a Conditional Use Permit and meet the Specific Use Standards. ~~per Section 8.74.~~

REASON. Specific use standard section numbers are removed due to being subject to change.

15. AMEND Chapter 8 (Special Use Standards), Section 8.107 (Salvage Yards), Subsection A (Definition), as follows:

8.107 Salvage Yards

- A. Definition. Any area, in whole or in part, where any type of equipment, including but not limited to vehicles, appliances and related machinery are bought, sold, exchanged, stored, baled, packed, disassembled, or recycled. A “salvage yard” includes the terms vehicle wrecking yard, automobile graveyard, and junk yard as defined in NCGS 136-143. **Any property upon which six or more unlicensed, used motor vehicles which cannot be operated under their own power are kept or stored for a period of 15 days or more shall be deemed to be an "automobile graveyard."**

REASON. To be consistent with NCGS 136-143 and specifies that property with more than 5 junk vehicles are considered an automobile graveyard.

16. AMEND Chapter 12 (Conditional Use Permits), Section 12.2 (Application Process), Subsection B (Board of Commissioners), as follows:

- B. Board of Commissioners. The Board of Commissioners shall hold a quasi-judicial public hearing and may not approve a conditional use permit request unless it first reaches each of the following findings based on competent, substantial, and material evidence presented at the hearing.
1. The use will not materially endanger the public health or safety;
 2. The use meets all required conditions and specifications;
 3. The use will not substantially injure the value of adjoining property unless the use is a public necessity;
 4. The use will be in harmony with the surrounding area and compatible with the surrounding neighborhood **and the burden is on the applicant to prove they are in harmony;** and
 5. The use will be in general conformity with the approved Moore County Land Use Plan.

REASON. Per new case law (PHG Asheville, LLC v. City of Asheville), for the proposition that when a use is allowed as a conditional use that is the equivalent to a legislative finding that the use is in harmony with the area. Therefore, the applicant shall be required to prove they are in harmony which can be contested by the opposing party, and the Board shall decide which is correct.

17. AMEND Chapter 13 (Appeals & Variances), Section 13.1 (Administrative Appeals), Subsection B (Submittal), as follows:

- B. Submittal. A notice of appeal of an administrative decision shall be considered filed when a complete application is delivered to the clerk to the ~~board~~ **Board of Commissioners** within 30 days of receipt of the decision or order. Any other person with standing as detailed within

NCGS 153A-349 and 160A-393 to appeal shall have 30 days from receipt from any source of actual or constructive notice of the decision within which to file an appeal. The date and time of filing shall be entered on the notice.

REASON. Clarifies “board” to mean “Board of Commissioners.”

18. AMEND Chapter 18 (Subdivisions), Section 18.5 (Minor Subdivisions), Subsection D (Additional Document Submitted for Approval), as follows:

D. Additional Documents Submitted for Approval. Lots considered for minor subdivision status on ~~an existing or~~ a new easement must complete the Private Road Maintenance Agreement to be recorded at the same time as the minor subdivision plat. Before the plat is approved, the Administrator shall consult with other departments and agencies, if applicable, to ensure conformance of the proposed subdivision with the various development standards set forth by county and state agencies, including but not limited to those listed in Section 18.6(F).

REASON. Existing easements may or may not have road maintenance agreements already recorded.

19. AMEND Chapter 18 (Subdivisions), Section 18.6 (Major Subdivision – Preliminary Plat Submittal and Review), Subsection D (Preliminary Plat Submittal), as follows:

D. Preliminary Plat Submittal. The preliminary plat shall be submitted to the Administrator at least 30 days prior to the Subdivision Review Board meeting. Preliminary plats shall meet the specifications in this Chapter and shall (1) be submitted as either a Conservation or Conventional Subdivision, (2) meet all applicable zoning and subdivision requirements, ~~(3) comply with NCGS 47-30, including but not limited to the applicable information required in Section 18.15, and~~ (4) (3) include applicable statements required in Section 18.16.

REASON. Clarifies that the UDO does not have to comply with NCGS 47-30 at the preliminary plat step. The preliminary plat can be prepared by an engineer. The final plat requires to comply with NCGS 47-30 and be signed by a surveyor.

20. REMOVE Chapter 18 (Subdivision), Section 18.7 (Major Subdivisions – Minimum Design Standards), Subsection F (Alternative Street Standards), as follows:

~~F. Alternative Street Standards. The applicant may submit alternative street design standards, subject to NCDOT and Moore County Dept. of Public Safety approval, that vary in response to the proposed function of the street and the anticipated traffic volume.~~

REASON. All streets should meet minimum NCDOT requirements.

21. AMEND Chapter 18 (Subdivision), Section 18.8 (Major Subdivisions – Option 1), Subsection E (Ownership of Open Space), as follows:

E. Ownership of Open Space. ~~No final plat shall be approved until all required legal instruments have been reviewed and approved by the County Attorney as to legal form and effect.~~ Land dedicated for open space shall be designated on both the preliminary and final plat(s) of the subdivision. All open space shall be permanently restricted from further subdivision. Open space shall be owned and/or administered by 1 or more of the following methods:

1. Fee simple dedication to a public government entity or a private non-profit land conservancy which public access shall be provided.
2. Ownership by a home owners association (HOA) where specific development restrictions and maintenance requirements are included as part of its bylaws and restrictive covenants filed in the Register of Deeds Office. ~~Such conveyances shall be approved by the County Attorney, subject to the North Carolina Unit Ownership Act / North Carolina Condominium Act, and shall be filed with the Moore County Department of Planning.~~ The fee-simple title of the common area shall be conveyed by the subdivider or developer to the HOA before any lots are sold. The required organizational documents and by-laws shall include, but are not limited to, the following: Membership shall be mandatory for each buyer and any successive buyer. The developer shall be responsible for all maintenance and other responsibilities of the HOA until 60% of all units to be sold are sold. After 60% of all units are sold, the HOA shall levy assessments and assume its responsibilities. The HOA shall be responsible for liability insurance, taxes and maintenance of all recreational open space facilities, grounds and common areas. Any sums levied by the HOA that remain unpaid shall become a lien on the individual property.

REASON. The Administrator can review the HOA agreement for open space compliance.

22. AMEND Chapter 18 (Subdivisions), Section 18.10 (Major Subdivision – Construction Process), Subsection C (Soil Evaluation Report), as follows:

C. Soil Evaluation Report. ~~Prior to final plat approval, the~~ The subdivider shall submit a report including a lot-by-lot evaluation, signed, sealed, and dated from a licensed soil scientist, for septic system capacity.

REASON. Clarifies that the soil report shall be submitted before final plat approval. Move to Section G to be in the correct order.

23. AMEND Chapter 18 (Subdivisions), Section 18.15 (Subdivision Plat Requirements), as follows:

18.15 Subdivision Plat Requirements

Information Required	Exempt Plat	Family Plat	Minor Plat	Major Prelim. Plat	Major Final Plat
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Information Required	Exempt Plat	Family Plat	Minor Plat	Major Prelim. Plat	Major Final Plat
Legible black ink on mylar or white paper	*	*	*	*	*
Submit copy of HOA agreement to be approved by County Attorney the Administrator					*

REASON. The Register of Deeds office now accepts paper plat and it is no longer required to be on black ink. The Administrator can review the HOA agreement for open space and maintenance compliance.

24. AMEND Chapter 18 (Subdivision), Section 18.16 (Subdivision Plat Requirements), as follows:

Type of Certificate or Statement	Exempt Plat	Family Plat	Minor Plat	Major Prelim. Plat	Major Final Plat
Review Officer Certification	*	*	*	*	*

REASON. Clarifies that the UDO does not have to comply with NCGS 47-30 at the preliminary plat step. The preliminary plat can be prepared by an engineer. The final plat requires to comply with NCGS 47-30 and be signed by a surveyor.

25. AMEND Chapter 19 (Definitions), Section 19.1 (Word Interpretation), as follows:

19.1 Word Interpretation

Words used in the present tense shall include the future; and words used in the singular number shall include the plural number, and the plural the singular. The word “shall” is mandatory and not discretionary. The word “may” is permissive. The word “person” includes a firm, association, organization, partnership, corporation, trust and company as well as an individual. The word “lot” shall include the words “piece”, “parcel”, “tract”, and “plot.” ~~The word “building” includes all structures of every kind, except fences and walls, regardless of similarity to buildings.~~ The phrase “used for” shall include the phrases “arranged for”, “designed for”, “intended for”, and “occupied for”.

REASON. Removes redundant language (similar language is including in Section 19.2)

26. ADD Chapter 19 (Definitions), Section 19.2 (Definitions), as follows:

Building. ~~Anything having a roof supported by columns or by walls, and intended for shelter, housing or enclosure of persons, animals, or property.~~ **Any structure used or intended for supporting or sheltering any use or occupancy.** “Building” includes the term structure (see definition) of every kind, such as decks, gazebos, retaining walls (greater than 4 feet),

swimming pools (see Specific Use Standards), carports, pergolas, docks, piers, bulkheads, and waterway structures (see Specific Use Standards) etc., with the exception of except fences and walls, regardless of similarity to buildings. **The connection of two buildings by means of an open porch, breezeway, passageway, carport or other such open structure, with or without a roof, shall not be deemed to make them one building.**

Building Height. The vertical distance measured from the average elevation of the finished grade at the front of the building to the highest point of the building. Spires, cupolas, chimneys, antennae attached to a building, and/or projections from buildings, radios, TV, communications, telecommunication, and water towers are not to be included in the calculations of building height.

Structure. See “~~Building~~.” Anything constructed or erected, including but not limited to buildings, which requires location on the land or attachment to something having permanent location on the land and anything defined as an “accessory building” or “accessory structure” in the Building Code.

REASON. “Building” changed to have a similar definition to the Building Code. Definition of “building height” was inadvertently removed during the 2016 UDO update.

27. AMEND Chapter 19 (Definitions), Definition (Setback), as follows:

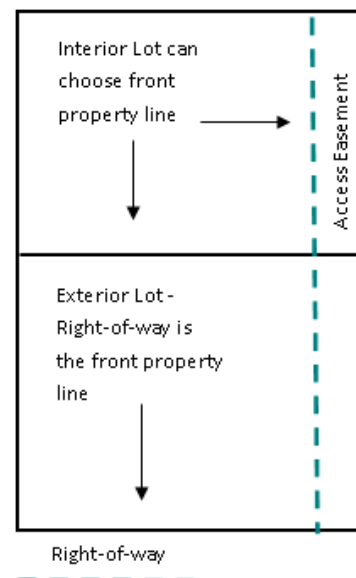
Setback. The required minimum distance between every building or structure, measured from the furthest point of the house (such as eaves, deck) from all property lines and/or right-of-way lines and/or easement lines of the lot on which it is located. Setbacks are not required from easement lines. (This does not include utility easements.) **Fire escapes, awnings, stairways, steps, ramps, stoops, sills, ornamental features, balconies, decks, carports, whether enclosed or unenclosed, and similar items shall be considered as a part of the main building and shall not project into the required yard. Setbacks shall be measured to the body or box of the manufactured home and not to the pull structure or hitch on the end of the home.**

REASON. Remove language to correspond with Fire Code standards which requires that the entire building shall not project into the required distance requirements.

28. AMEND Chapter 19 (Definitions), Definition (Lot Line, Front), as follows:

Lot Line, Front. That part of the lot adjacent to, or in close vicinity to, the street right-of-way line or its land access easement. When **an interior lot, fronts is in close vicinity to** a street **right-of-way** and fronts ~~an its~~ access easement the property owner shall have the option to choose the front lot line.

REASON. Accommodates interior lots that have double frontage.



CONSISTENCY WITH THE ADOPTED 2013 LAND USE PLAN

The Planning Board Consistency Statement which speaks to Land Use Plan goals is included for the Board's review and consideration.

RECOMMENDATION

Staff recommends the Moore County Planning Board make two separate motions:

Motion #1: Make a motion to adopt the attached Moore County Planning Board Land Use Plan Consistency Statement (Approval) and authorize the Chairman to execute the document as required by North Carolina General Statute 153A-341.

Motion #2: Make a motion to recommend approval to the Moore County Board of Commissioners of the proposed text amendment to the Moore County Unified Development Ordinance.

ATTACHMENTS

- RLUAC (Regional Land Use Advisory Commission) Review Letter
- Planning Board Consistency Statement – Approval



MOORE COUNTY

Proposed Text Amendments to the Unified Development Ordinance –

Chapter 2, Section 2.2; Chapter 3, Section 3.16; Chapter 4, Sections 4.1 & 4.2; Chapter 5, Section 5.1; Chapter 6, Section 6.1; Chapter 7, Sections 7.15 & 7.16; Chapter 8, Sections 8.12, 8.31, 8.70 & 8.107; Chapter 12, Section 21.2; Chapter 13, Section 13.1; Chapter 18, Sections 18.5, 18.6, 18.10, 18.15 & 18.16; Chapter 19, Sections 19.1, 19.2, 19.25 & 19.26

March 14, 2019

The Regional Land Use Advisory Commission (RLUAC) staff and Board of Directors have reviewed the proposed text amendments (listed above) for the Moore County Unified Development Ordinance and find no conflicts with the recommendations contained in the recently completed and adopted 2018 Fort Bragg Joint Land Use Study.

Thank you for allowing RLUAC the opportunity to review these proposed changes.

John K. McNeill, Chairman

James Dougherty, Executive Director

Moore County Planning Board
Land Use Plan Consistency Statement
Text Amendment - Unified Development Ordinance

The Moore County Planning Board finds that:

1. The text amendment request is consistent with the following goals in the 2013 Moore County Land Use Plan:

Goal 4: Provide Information and Seek Citizen Participation:

- Action 4.1.1: Continue to support and implement easy to understand guidelines to incorporate throughout governmental departments.

2. The text amendment is consistent with the Goals listed above due to providing the public with a transparent permitting process.

3. The text amendment is reasonable and in the public interest because the ordinance has been updated to meet current statutory requirements and be more user-friendly for use by the general public and development community.

Therefore, the Moore County Planning Board recommends **APPROVAL** of the text amendments to the Unified Development Ordinance, as proposed.

Eddie Nobles, Chair
Moore County Planning Board

Date